

# LAW ENFORCEMENT NEWS

Vol. II, No. 6

June/July, 1976

## LAW ENFORCEMENT NEWS

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## Conflicts in Senate, House Legislation Keep LEAA in Doubt About Its Future

The future existence of the Law Enforcement Assistance Administration continues to be in doubt, as a result of the passage of reauthorization legislation differing markedly between the Senate and House versions.

While the Senate Judiciary Committee on May 13 approved the Administration-backed reauthorization bill extending LEAA for another five years, the Judiciary Committee in the House of Representatives — which had seriously considered abolishing LEAA in its entirety — passed a measure which prolongs the agency for only 15 months more. The members of the House panel called for strict Congressional oversight of LEAA activities before permitting the revenue sharing agency to continue beyond September 1977.

The funding levels endorsed for LEAA by the two Judiciary Committees also showed different feelings toward the work of the agency. In the Senate committee,

where the members proved to be generally sympathetic toward LEAA operations, a \$54-year spending ceiling of \$5.65 billion was authorized. The Senate measure allows \$250 million for the transition period of July 1, 1976 to September 30, 1976 — caused by a change in the date on which the fiscal year begins — \$1 billion for fiscal year 1977 and \$1.1 billion for each of the next four fiscal years.

In the House, meanwhile, \$220 million was approved for the transition quarter and \$880 million for the 1977 fiscal year. House members also rejected an Administration request for \$50 million per year for the proposed new High Crime Area Program. The proposal won the endorsement of the senators, although they attached an amendment which allows the new funds to be used in areas with "serious court congestion and backlog."

The role of the state courts in LEAA activities would be increased under the provi-

sions of both the Senate and House measures, but through different means. The House voted to allocate a flat one-third of LEAA discretionary funds for state court systems. The Judiciary Committee in the upper chamber instead adopted a plan proposed by Sen. Edward M. Kennedy (D-Mass.). The plan provides that the highest court in each state be empowered to establish a judicial planning board which would develop a yearly plan for all courts in the state. The court plan would automatically be included in the state's master criminal justice plan, unless the state planning agency found the court proposal to be in conflict with the comprehensive state plan.

The Senate committee also approved a provision which would allow the chief judicial official in each state to appoint at least three court representatives to the governing board of the state planning agency.

Three new provisions not considered by the Senate panel were approved by the House Judiciary Committee. One such section would set up a new LEAA Office of Community Anti-Crime Programs. The office would be directed to support citizen crime prevention efforts with an annual appropriation of up to \$15 million.

A second clause, drafted for the committee by Rep. Barbara Jordan (D-Tex.), would impose strict requirements for the enforcement of civil rights statutes in grant receiving agencies. Yet another new section would mandate that a proposal for "minimally acceptable physical and service standards" be made a prerequisite for the receipt of Part E funds for local jail programs.

Only one dissenting vote was recorded in the Senate committee's vote on reauthorization. The chance for a unanimous consensus was dashed when Sen. Birch Bayh (D-Ind.) protested the committee's handling of certain juvenile justice provisions by voting against the entire reauthorization measure.

Urged by the Ford Administration to repeal a provision of the Juvenile Justice Act which directs LEAA to allocate at least as much of its annual Part C and E funds on juvenile justice programs as was spent in fiscal year 1972, the senators voted to replace the dollar base figure (\$111,851,045) with a percentage minimum of 19.15 percent based on the same year.

Sen. Bayh, the original sponsor of the

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Police Foundation President Patrick V. Murphy welcomes the AAPLE members to Hartford.

and shape of American law enforcement," he declared.

di Grazia explained that while the "one man, one vote" principle should be revered in our political system, "one police chief (no matter how small or parochial the de-

### Announcing a Biweekly LEN

The management of Law Enforcement News is pleased to announce that, beginning in September, the paper will be published once every two weeks. As a biweekly, LEN will be able to bring its readers more immediate information on the state of policing in America.

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## EVIDENCE TECHNICIAN PROGRAM MANUAL

By Joseph L. Peterson  
and James H. Jones

The utilization of scientific methods for the examination of physical evidence recovered in the course of criminal investigations has become a critically important function of the nation's law enforcement agencies. This manual examines the role of police officers and civilians charged with the responsibility of searching crime scenes for physical evidence and returning it to the forensic laboratory for analysis. These individuals, often referred to as evidence or crime scene technicians, are on the staffs of most urban police departments today. Many agencies now train evidence technicians to be specialists who devote their total professional attention to the search for physical evidence. Through specialization, it can be expected that crime scenes will be searched with less delay and greater expertise than in situations where patrol, detective or crime laboratory personnel have shared responsibility for recovering the evidence.

Five important aspects of developing an effective evidence technician program are discussed in this manual. The key element is the selection and training of competent personnel who will become evidence technicians. Next in importance are tools, kits and vehicles which are used by the technician in processing crime scenes. Also discussed is the need for a strong organizational commitment to the crime scene search function, the implementation of actual field operations, and finally, means for evaluating an evidence technician operation. Guidelines for developing meaningful program objectives and appropriate criteria for measuring progress toward those objectives are presented.

A publication of the  
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### Television Cops "Animal-Like," Charges Police Civilian Aide

To the Editor:

I would like to respond to an article which appeared in the April/May issue of your newspaper. The article "IACP Charges TV Violence Shows Cops in Bad Light" was very timely. My husband is a former policeman and I am the secretary for a local sheriff's department. My husband and I, therefore, can view the police TV shows a little more critically than the average viewer.

Since police shows dominate all channels on TV, we have very little choice than to watch them. We usually take them as they come. However, the Baretta show which was on May 9 was appalling. We do not watch this particular series often, but we did that night. The whole show centered on Baretta's harassment of a suspect in a murder case; but what really got us was the chase scene which dominated a good five minutes or more of the program. The viewers had to watch Baretta not only break traffic laws by speeding, crossing a double yellow centerline and driving continuously in the oncoming traffic lane as he attempted to push the suspect off the road, but also his endangering the lives of innocent drivers as he chased the suspect through busy city streets.

Though Baretta had turned in his badge until he "broke" the suspect into confessing, the show at the same time implied that Baretta was free to do anything to get the confession as long as he (Baretta) did it on his own time. It seems to us that the police shows not only portray police as brutal and violent, but also free to break all laws and not be punished for them. If this is the case, why spend money sending men to school to learn law enforcement? The show implied that if a policeman can't get a suspect to talk, all he has to do is take off his badge and go after the person any way he wants. If he has to break laws to get a confession, do it! If he has to become animal-like and equal to or worse than the suspect, do it! If he has to endanger innocent persons, do it!

God help us if police departments started operating like they do on TV!!!

Sincerely,

Mrs. James D Fields  
Lexington Park, Md.

### Gunlaws Impede Freedom

To The Editor:

Consider: Elimination of prayers from schools, forced school busing. Both against the will of the people. Hitler type tactics, but initiated the so-called American way. Our democratic freedom and rights are being infringed upon by various judges,

organizations and some politicians.

The handgun is the most defensive weapon used by the law-abiding citizen against the criminal element. But now, there are those who sympathize with the criminal and are against the law-abiding citizen who tries to defend themselves. There are no petitions against the criminal or to give stringent sentences against them. It's always the law-abiding citizen that is constantly being attacked by those who want to take away their democratic rights to bear arms. Nothing is said about the criminal. The courts let the criminal free so he can continue his criminal ways. They should stop babying criminals.

Handgun confiscation will lead to one thing. To make criminals out of law-abiding citizens. Who or what is going to stop anyone from obtaining an illegal handgun. The law? It hasn't stopped anyone yet and it never will. It seems that many have forgotten the liquor prohibition law during the 1920's. Liquor still flourished, regardless of the law. True, some were caught, but the point here is that it was being made and sold — illegally. The same holds true for handguns or anything else for that matter.

Assassinations will always be. Handgun laws can't stop it. If an individual or individuals are out to eliminate a politician, they will.

Suicides: Drugs, knife, razor blades, poison, auto. It doesn't have to be a gun.

Killing in the heat of an argument: A knife, bottle, hammer, ice pick, baseball bat, any sharp or blunt instrument will do. Again, it doesn't have to be a gun.

The anti-gun advocates are catering and helping the dreams of the criminals. The disarming of the law-abiding citizens. It will make the criminals job much easier.

Switzerland has the highest per capita ownership of firearms of any country in the world. No restrictive gun laws whatever. No permit is required to carry a concealed weapon, and a man may have as many handguns he likes. Armed crime is rare. The homicide rate in Switzerland is only 54% of that in England, which has strict gun laws, and 30% of that in Japan, which has still stricter gun laws. In England, despite the strict gun laws, handguns are and always have been readily available to criminals. Armed crime has increased in recent years.

Gun laws aren't meant for the criminal, it's meant to stabilize the law-abiding citizen. Only the criminal has the right to own and possess a handgun. As always, the law-abiding citizen is at the mercy of the criminal.

The more that the anti-gun advocates push for a handgun confiscation, the better chance for that criminal dream come true. An "Alice in Wonderland" fantasy

that transpired. God pity the defenseless.

The anti-gun advocates say that only the military and police should be allowed to carry handguns. They should also add the criminal. Because he will also carry a handgun — illegally.

In conclusion: handgun confiscation, forced school busing, elimination of prayers in schools are all Communist overtones and objectives. I'm against any bill regarding handgun confiscation because it's an infringement upon the law-abiding citizen democratic right to bear arms. Handgun confiscation will prove nothing and stop no one from obtaining an illegal handgun. Organized crime has plenty of them.

Sincerely,  
Joseph White  
Chelsea, Mass.

### Praises Rand Detective Study

To The Editor:

I am writing in regards to your article in the March/April edition, Volume II, No. 3, regarding the Rand Corporation Study of Detectives. What this study indicated is something I have believed in for many years and the system of a police generalist approach is suggested by the study is the same concept the Presidents Commission on Police suggested in the late 1960's.

The Manalapan Township Police Department has been in existence since April of 1970 and has followed the system as best as possible with a small amount of manpower and has had, in my opinion, been outstanding with the results.

If you or any member of the Rand Corporation would be interested in evaluating this system for publication and criticism, I assure you of full cooperation.

In closing, I would like to state that I enjoyed the article very much and feel more articles of this nature must be brought to the attention of the traditionalists in the law enforcement field.

Respectfully,  
Thomas Wallace  
Chief of Police  
Manalapan, N.J.

### LAW ENFORCEMENT NEWS

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## LEAA Victim Survey Shows Crime Up 7.5% from 1973-74

A national victimization survey released last month reveals that the crime rate for the violent offenses of robbery, rape and assault remained virtually unchanged from 1973 to 1974, while the overall crime rate increased 7.5 percent for the same period.

Prepared by the Bureau of Census, the National Crime Panel report is the first in a series of LEAA victimization studies to yield data on yearly fluctuations in crime rates.

The study found that household burglary and auto theft rates also remained essentially the same between the two years. However, the rates for the other non-contact crimes of personal larceny, commercial burglary and household larceny rose four percent, 11 percent and 16 percent respectively, according to the survey.

Personal and household larceny were the two most frequent crimes reported in the study and they contributed significantly to an overall 7.5 percent increase in crime in 1974. There were 39,694,000 victimizations of persons, households and businesses in that year as compared to 36,925,000 in 1973.

Crimes of theft without victim-offender contact accounted for more than 90 percent of that increase, with personal larceny without contact and household larceny alone responsible for 79 percent, according to the study.

Entitled "Criminal Victimization in the U.S.: A Comparison of 1973 and 1974 Findings," the survey is part of a \$12-million a year project that will publish periodic reports on crime in the U.S. and selected cities. The findings reflect the extent to which individuals, house-

## LA Chief Davis' CJ Study Raps Light Sentences

As part of "an on-going commitment by the Los Angeles Police Department to identify problems in the criminal justice system," Police Chief Edward M. Davis recently announced publication of an analysis of the California criminal justice system.

Davis declared that the study reveals a fact that the veteran criminal is already aware of that the novice offender quickly learns, and that citizens now know: "That the weakest link in the criminal justice system chain is lenient sentencing practices."

In a forward to the report, Davis stated that, just as his department has brought the public and the police together, "we must also bring the entire criminal justice system closer to the public if our citizens are ever to receive substantial relief from the terror of crime."

Noting that the department must constantly study crime patterns and service needs to effectively deploy its limited resources, the Chief said identification of those areas that are retarding the criminal justice system's progress is essential.

Davis commented in the LAPD study that "the appalling fact remains that over 50 percent of [California's] felons convicted of robbery are not sent to state prison." He noted that only one in ten convicted burglars goes to jail and criticized the judiciary for not considering the plight of burglary victims.

holds and businesses were victimized by specific types of crime.

"Data such as these can help state and local criminal justice agencies develop more effective responses to crime," said LEAA Administrator Richard W. Velde. "With this information, we can identify those who are likely to be crime victims and then formulate specific methods to aid them or catch the criminal who preys on them."

Velde warned that comparisons between the crime victim survey data and the FBI's Uniform Crime Report statistics have extremely limited utility. He explained that the FBI figures reflect crimes reported to the police in each specific city, while the victim survey measures offenses irrespective of where the crime took place. Velde added that definition differences make direct comparisons difficult.

The latest victimization study revealed that the overall rape, robbery and assault rates for 1974 were not significantly different from those of 1973. However, changes did occur in the victimization figures for crimes of violence committed against specific population groups.

According to the survey, the overall violent crime rate decreased about 19

Continued on Page 7

## Supreme Court Imposes Curbs On Civil Servant Job Rights

The Supreme Court ruled this month that state and local employees are entitled to only limited constitutional protection against being terminated from their jobs even when the employers' reasons for dismissal are unfounded.

In a 5-4 decision, the Court found that a worker is constitutionally entitled to a predismissal hearing on the grounds or charges which he or she is being terminated only in certain instances.

As a result of the ruling, public workers in many cases may now become dependent on state or local laws or ordinances in their attempts to contest what they consider improper dismissals.

The Court's ruling came in the case of Carl D. Bishop, who was discharged from the Marion, N.C. police department without a predismissal hearing. In challenging the firing, Bishop claimed that his employer had violated his 14th Amendment right not to be deprived by a state of property or liberty without due process of law. He charged that he was being deprived by the state of the "property" interest of his job, and the "liberty" interest of his reputation.

Rejecting Bishop's argument, the majority ruled that under the Constitution, a public employee has the right to a hearing, as part of due process, only in states that

have clearly granted him some guarantee of continued employment, and therefore, some property right to the job.

The decision implies that such a guarantee would have to be very specific. The Court admitted that the Marion ordinance "may fairly be read as conferring such a guarantee." However, the majority chose the opposite interpretation on the ground that it was also "tenable" and was the one chosen by the lower courts that had ruled on the Bishop case.

The Court appeared to suggest that if the dismissal were motivated by an attempt to restrain an employee's free speech rights, or if it were to clearly damage his reputation, then he might be entitled to a predismissal hearing under the 14th Amendment. However, the decision made it obvious that the burden of proof would lie with the employee.

In examining Bishop's appeal, the Court found that he had not made a compelling case, because his employer had not publicly disclosed at the time of the dismissal, the reasons for it. Therefore, even if the reasons were inaccurate, there could not be a claim of damage to reputation, according to the ruling.

In an opinion written by Justice John Paul Stevens, joined by Chief Justice

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## NewsBriefs. . . NewsBriefs. . .

### ASIS Asks Congress To Pass Strong Anti-Terrorist Measure

The American Society for Industrial Security issued a resolution last month which urges Congress to enact legislation to counteract terrorist activity.

Contending that "the bombing and murder of innocent persons and extortion are a matter of increasing national and international concern," the ASIS Board of Directors proposed a strong amendment to the Internal Security Act of 1950 (the Smith Act) concerning subversive activity.

The proposal states: "Without regard to the immediate provable effect of such action, whoever knowingly or willfully advocates, abets, advises or teaches the duty, necessity, desirability or propriety of overthrowing the United States by force and violence. . . shall be fined not more than \$10,000 or imprisonment not more than 10 years, or both."

ASIS maintains that "no overt act" should be necessary "before the sanction of the law may be invoked" against persons who would overthrow the Government by force or violence.

The resolution was passed on April 8 by the ASIS Board of Directors, which includes representatives from General Dynamics Corporation, the Ford Motor Company and the Lockheed Missiles and Space Company.

### National Burglar Alarm Group Begins Alarm Reporting Program

In an attempt to counteract the "negative aspects of false alarms," the National Burglar and Fire Alarm Association has started a burglar alarm reporting program.

The project will enable NBFAA members to fill out a report form for each occurrence of burglary or attempted burglary. The forms will be mailed to NBFAA headquarters in Washington, DC, where

the statistics will be compiled and published regularly in the organization's magazine.

### Dallas P.D. Halts Minority Program Due to Lack of Interest

A lack of interest by members of minority groups in becoming police officers has been cited by Dallas Police Department officials as the reason for the discontinuation of a program to hire blacks and Mexican-American police officers on a one-to-one basis with whites.

The five-year program, operated at a cost of \$300,000, was able to attract only 104 officers who were members of minority groups. During the same period, 57 such officers left the department to accept better paying jobs with other law enforcement agencies or in other lines of work. Dallas officials said that these personnel "raids" by Federal and other law enforcement agencies also contributed to the recruitment program's demise.

There are presently 1,798 sworn officers in the Dallas Police Department, 80 fewer than its authorized manpower level of 2,058. Blacks account for 91 members of the department, while 59 officers are Mexican-American.

### Milwaukee Patrolman Rescued From Departmental Punishment

A circuit judge recently halted punitive action against a Milwaukee patrolman who faced departmental charges for writing an editorial critical of police station security.

Calling the charges blatantly unconstitutional, Judge Louis J. Ceci said, "I don't know of a court in this country that is aware of the Constitution that could say that these matters could stand."

Patrolman Kenneth A. Dumar requested that the court restrain the department from taking disciplinary action against him for writing the editorial. It appeared in The Milwaukee Badge, the newspaper of the Milwaukee Professional Police-

men's Protective Association.

Dumar's appearance before a police board of inquiry on April 30 was blocked by an earlier court order. His attorney argued that the action of Milwaukee Police Chief Harold A. Brier against Dumar was an attack on freedom of speech and freedom of the press.

Assistant City Attorney Theophilus C. Crockett replied that Brier had not yet taken any punitive action against the patrolman and that the dispute was merely "a family matter" within the department.

In his latest ruling, Judge Ceci mandated a temporary injunction to stop any action against Dumar and scheduled a trial on a permanent injunction for September 14.

### Florida Highway Patrol Graduates Thirty New Troopers

On May 28, the Florida Highway Patrol graduated 30 members of its 50th recruit class.

The ceremonies climaxed a 13-week training period at the Florida Highway Patrol academy in Tallahassee where the recruits received 600 hours of intensive training in preparation for their new professions.

Courses taken at the academy included human relations, traffic and criminal law, accident investigation, fingerprinting, public speaking, defensive driving, self-defense in the form of boxing and judo, narcotics, radiological monitoring, firearms and first aid.

Although state law requires all police officers to receive 320 hours of basic law enforcement schooling, the Patrol has for many years taught prospective troopers more than double that amount.

Last month's ceremony featured a commencement address by Chief Justice Ben F. Overton of the Florida Supreme Court and a speech by class president Alexander Scott Sneddon.

# Concepts in Criminal Investigation

## Administering the Investigative Function: Organizational Factors

By RICHARD H. WARD

This is the eighth in a series of articles on the concepts and theories of criminal investigation. The author is a former New York City detective and author of *Introduction to Criminal Investigation*.

Most investigative operations throughout the United States are organized by specialization, e.g. Crimes against Property, Crimes Against Persons, or by individual units such as the Homicide Squad, the Robbery Detail, etc. The size of most units remain the same over time despite crime trends which may vary by time of year.

Most investigative units are housed centrally, and in larger departments there are frequently units assigned to districts or divisions. Within particular units there may be further specialization, such as the pickpocket squad in the Frauds Unit. It is probably safe to say that no particular organizational structure has proven to be most effective insofar as the solution of crimes is concerned. There is no evidence, for example, which proves that a specialized unit is more effective than a generalized unit. The one possible exception to this is the Homicide Squad, but this is probably due more to the nature of the crime and the high probability of a victim-suspect relationship than to specialization.

### A New Approach

Most investigative operations are organized apart from the patrol force, with their own chain of command, and frequently operating with minimal coordination of effort. Two recent experiments in Cincinnati and Rochester utilized a relatively new structure by assigning investigators to teams, working directly with the patrolman, usually on specific types of crime, such as burglary and robbery.

Initial results of these experiments, which are funded by the Police Foundation, are encouraging. Theoretically, investigators working directly with patrol officers will have a more thorough understanding of the community, possible suspects, and closer relationships with residents, all of which will increase crime clearances. Discussions with the chiefs of police in Rochester and Cincinnati indicate that clearance rates have increased, particularly for burglaries, where investigators are a part of a patrol team.

The Rand Study on The Criminal Investigation Process found that investigative strike forces are generally effective if they focus on target crimes. In practice, however, strike forces are frequently used for other tasks, thereby limiting their value.

The Rand study also recommends the establishment of team approach for major crimes, with most cases being handled by a generalist investigator assigned to the operations commander.

### Specialization vs. Generalization

A study conducted by the author in 1971 of specialization vs. generalization as they relate to effectiveness found no significant differences in cases solved or arrests in two major police departments. These findings have since been supported by the Rand study, and raise several questions concerning a specialized approach to

crime investigation. While there are some crime categories which may require specialization, such as narcotics investigations, it may be that a generalist approach is more effective. Such an approach makes it possible to reallocate resources more readily and may prove more efficient.

Where the investigative process is backed up by a strong crime analysis section it is possible to develop a coordinated approach on specific types of cases. For example, a robbery suspect operating throughout the city should be identified, at least by M.O., by the crime

analyst. Unless there is good coordination in a specialized robbery unit, it is likely that crimes committed in various parts of the city will not be linked by the investigators. This approach also holds true in smaller communities, where there is a need for cooperation between counties and towns. Theoretically, the specialized investigator will have a thorough knowledge of the crime category and suspects. With some notable exceptions, few investigators are really specialists, and the lack of available research data in most crime categories precludes the use for specialization. Should there be any doubt about this, ask one or two specialists what books or articles they have read about their specialization.

### Organizing for Effectiveness

Unfortunately, there is no single model for investigative organization which has proved most effective. The recent interest in the investigative function has prompted several studies which should be of value. Meanwhile, more questions than answers have come out of the current research, and it is hoped that through continued experimentation more effective systems will evolve.

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# Voiceprint Evidence Banned In DC by Appeals Court

Voiceprints continue to be inadmissible as evidence in Washington, D.C. criminal trials as a result of a recent ruling by the U.S. Court of Appeals there. The three appellate judges acknowledged, however, that voiceprints are admissible in numerous other sections of the nation.

Last month's ruling upheld the conviction of Washington gambler Charles L. (Black Danny) McDaniel who was convicted two years ago on charges of bribing a D.C. police officer, according to The Washington Post.

In McDaniel's appeal, the major argument concerned the admissibility of the voiceprint evidence gathered against him on a court-ordered wiretap. Although the appellate court accepted McDaniel's contention that the voiceprints could not be used against him, the judges ruled that there was enough other evidence to make the conviction stand.

An opinion written for the three judge panel by U.S. Circuit Judge Edward A. Tamm noted that voiceprints had never been permitted as evidence in the Capital's Federal courts and that the same appellate court had ruled on the issue less than two years ago.

The judges added that: "The reliability of spectrographic voice identification [voiceprints] and its general acceptability within the scientific community may have changed so dramatically in the past two

years that we may explain that earlier opinion as a reflection of the then primitive state of spectrographic voice identification."

Noting that there was no clear proof to support such an "explanation" of their earlier decision, the judges said they felt "we are bound by the prior opinion." They also pointed out that all the legal precedent cited by the U.S. Attorney's office in support of voiceprints "evolved outside this judicial circuit."

The government argued that 14 of the 15 U.S. judges who have ruled on the voiceprint controversy have accepted the use of such evidence, and that all but two of the 37 state courts that have decided the issue have found the evidence to be admissible.

## National Police Olympics To Be Held In Jacksonville, Florida

The Florida Police Athletic Federation will sponsor the National Police Olympics at Jacksonville, Florida on October 6-12.

Featuring competition in sports ranging from basketball to wrestling, the games will provide all law enforcement officers the opportunity for maintaining their physical fitness.

For further information and entry forms, contact: F.P.O. Headquarters, 7330 Sabal Drive, Miami Lakes, FL 33014.

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- A report on The National Conference on Productivity in Policing.

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# Court Limits Due Process In Public Employee Firings

Continued from Page 3

Warren E. Burger, and Justices Potter Stewart, Lewis F. Powell Jr. and William H. Rehnquist, the majority stated "The Federal court is not the appropriate forum in which to review the multitude of personnel decisions that are made daily by public agencies."

"We must accept the harsh fact that numerous individual mistakes are inevitable in the day-to-day administration of our affairs," the majority stated. "The United States Constitution cannot feasibly be construed to require Federal review for every such error. In the absence of any claim that the public employer was motivated by a desire to curtail or to penalize the exercise of an employee's constitutionally protected rights, we must presume that official action was regular and, if erroneous, can best be corrected in other ways."

The majority summed up its decision, noting that, "The due process clause of the 14th Amendment is not a guarantee against incorrect or ill-advised personnel decisions."

Two previous Supreme Court decisions in 1972 had established broad guidelines regarding dismissals of public employees. At that time, the Court said that the criteria should be based on whether the employee was serving under either an express or implicit contract or other working agreement under which he or she reasonably expected the job to be continued, as opposed to working at the will of the employer.

If the employee held such an expectation, the Court had ruled, then there was a property right subject to 14th Amendment protection and the procedural protection of a hearing.

A minority opinion for the Bishop case was written by Justice Byron R. White in collaboration with Justices William J. Brennan Jr., Thurgood Marshall and Harry A. Blackmun. The dissenters held that the latest ruling was incompatible with the 1972 cases.

Brennan filed an additional dissent, joined by Marshall, to protest the majority ruling on the "liberty" aspect of the Bishop case. He argued that even if the employer does not immediately disclose the reasons for a dismissal, they will

eventually come out, specifically when the employee is seeking another job. Brennan contended that the employee's reputation would therefore be damaged.

## LEAA Says Most Inmates Were Drunk, High At Time of Offense

Forty-three percent of state prison inmates had been drinking and 26 percent were under the influence of drugs at the time of the offense for which they were serving time, according to a recently released Law Enforcement Assistance Administration study.

LEAA Administrator Richard W. Velde reported that about 61 percent of the admitted drug users had taken narcotics on a daily or near daily basis at some time in their lives. He added that marijuana was the most commonly used drug. The survey found that it accounted for 92 percent of all drug users in state prisons.

Amphetamines, barbiturates, cocaine or heroin were consumed by 45 to 50 percent of the inmate drug users, while 15 percent had used illicit methadone, according to the study. It also revealed that 70 percent of the heroin users reported using the drug daily.

Velde noted that the survey has resulted in an in-depth follow-up study on the use of narcotics by prison inmates being conducted by the Drug Enforcement Administration.

Compiled for LEAA by the Bureau of Census, the study statistics show that seven of every 10 inmates in state prisons previously served time in other correctional facilities.

The nationwide survey was compiled in January 1974 when there were 191,400 persons in state prisons. Out of that number, 23 percent had served two sentences, 19 percent three sentences, 12 percent four sentences, and 16 percent five or more sentences, according to the survey.

Providing statistics on numerous other aspects of the state prison system, the "Survey of Inmates of State Correctional Facilities 1974: Advance Report" is available for \$1.05 from the U.S. Government Printing Office, Washington, DC 20402.

## Viet-era Vets Make Up 11 Percent Of Massachusetts Male Inmates

The Massachusetts male inmate population consists of 11 percent Vietnam war-era veterans, and the majority of them make model prisoners, according to recently released State Corrections Department records.

The data also reveal that such an inmate is likely to be better educated, older, and a first offender convicted of armed robbery.

Compiled last September, the department statistics show that 222 of the 2,018 male prisoners then in custody were Vietnam-era veterans who had served 181 days or more active duty between August 5, 1964 and May 7, 1975.

The percentage of Vietnam veterans in Massachusetts correctional facilities ranged from a low of nine percent at Norfolk to a high of 18 percent at Concord.

Frank Hunt, a spokesman for the New England regional Office of the Veterans

Administration said, "You've got to remember, however, that only 52 percent of these inmate veterans received honorable or general discharges." He added that the others got into trouble while in the service.

Deputy Superintendent Richard C. Michael of the Concord Reformatory noted that many of the veterans "come back with confusion and had trouble readjusting. But from my observations they're more stable and more motivated than the other inmates here."

Indicating that many of the veteran's problems were due to drug abuse, Michael said that over 80 percent of all prisoners at Concord were incarcerated directly or indirectly because of narcotics.

Armed robbery accounted for the largest proportion of inmate veterans. Twenty-eight percent were convicted of that crime, while 19 percent were convicted on charges of murder in the first or second degree.

# Criminal Justice Bills Now Before Congress

Prepared by The Hundred Clubs Informational Council

H.R. 413 — Law Enforcement Officers

Sponsor: Fish. Introduced: January 14, 1975. House Committee: Judiciary.

Title: A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a Law Enforcement Officers' Bill of Rights in each of the several states, and for other purposes.

Description: Provides that, beginning one year after enactment of this Act, no law enforcement grants under the Omnibus Crime Control and Safe Streets Act of 1968 will be made to State and local governments unless these units of government have instituted a law enforcement officers' grievance system and have enacted into law a "Law Enforcement Officers' Bill of Rights" which will cover all law enforcement officers in the states.

Declares that this Bill of Rights shall provide law enforcement officers statutory protection for certain rights enjoyed by other citizens. Requires the bill of rights to provide, at a minimum, the following: (1) Law enforcement officers shall not be prohibited from engaging in political activity, except when on duty or acting in an official capacity; (2) when an officer is subject to an investigation that could lead to disciplinary action or criminal charges: (a) the investigation shall be conducted at a reasonable hour, preferably while the officer is on duty, (b) the investigation shall occur at the office of the investigating officer or at the precinct where the incident occurred, (c) there shall be one interrogator asking all questions to the officer and the names of all investigating officers shall be known by him, (d) the officer shall know the nature of the investigation and the names of complainants, (e) all civilian complaints must be duly sworn to before an official authorized to administer oaths, (f) interrogating sessions shall be of reasonable length, (g) the officer under investigation shall not be subject to abuse or threats, (h) all interrogations shall be recorded, (i) if the officer is to be placed under arrest, he shall be fully informed of his rights before interrogation, and (j) the officer shall have a right to counsel who shall be present during any interrogations dealing with the officer's continued fitness for law enforcement service; (3) citizen review boards having proportionate police representation; (4) law enforcement officers shall have recourse to civil actions for damages suffered or for abridgement of their civil rights arising out of the performance of official duties; (5) financial disclosures shall not be required unless obtained under legal procedures or there is evidence of a conflict of interests; (6) notice of and reasons for all disciplinary action is required; and (7) no officer shall be disciplined or discriminated against in any way by reason of his exercise of these rights.

Establishes in each State and unit of local government a law enforcement officers grievance commission composed of an equal number of governmental representatives, law enforcement officers, and members of the general public which shall have the authority to receive, investigate, and determine complaints and grievances arising from claimed infringement of rights of any law enforcement officer.

Provides that, in addition to this grievance procedure, law enforcement officers may institute a civil action for redress of the grievances.

Action: H.R. 413 was referred to the Subcommittee on Crime on February 11, 1975. It is now pending with no action scheduled.

H.R. 8011 — Crime Prevention

Sponsor: Lehman. Introduced: June 18, 1975. House Committee: Judiciary.

Title: A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to add a requirement that the comprehensive state plan include provisions for the prevention of crimes against the elderly.

Action: H.R. 8011 was referred to the Subcommittee on Crime on June 24, 1975, where it is pending with no action scheduled.

S. 460 — Criminal Justice Professions Development Act

Sponsor: Javits. Introduced: January 28, 1975. Senate Committee: Judiciary.

Title: A bill to provide assistance to state and local criminal justice departments and agencies in alleviating critical shortages in qualified professional and para-professional personnel, particularly in the corrections components of such systems, in developing the most advanced and enlightened personnel recruitment training and employment standards and programs, and for other purposes.

Action: S. 460 was referred to the Subcommittee on Criminal Laws and Procedures on February 10, 1975, which commenced hearings on October 2, 1975.

S. 230 — Public Safety Officers' Group Life Insurance Act

Sponsor: Kennedy. Introduced: January 17, 1975. Senate Committee: Judiciary.

Title: A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize group life insurance programs for public safety officers and to assist state and local governments to provide such insurance.

Action: S. 230 was referred to the Subcommittee on Criminal Laws and Procedures on January 29, 1975. It is now before the full committee for further action.

H.R. 698 — Law Enforcement Officers

Sponsor: Murphy of NY. Introduced: January 14, 1975. House Committee: Judiciary.

Title: A bill to amend Title 18 of the U.S. Code to prohibit bribery of state and local law enforcement officers and other elected or appointed officials.

Action: H.R. 698 was referred to the Subcommittee on Criminal Justice on February 26, 1975. Executive comment was requested from the Department of Justice on July 19, 1975.

S. 459 — Emergency Urban Crime Reduction Act

Sponsor: Javits. Introduced: January 28, 1975. Senate Committee: Judiciary.

Title: A bill to assist urban criminal justice systems on an emergency basis in those cities where personal security, economic stability, peace and tranquility are most impaired and threatened by the alarming rise in the commission of serious crime.

Action: S. 459 was referred to the Subcommittee on Criminal Laws and Procedures on February 19, 1975.

H.R. 565 — Lighting

Sponsor: Koch. Introduced: January 14, 1975. House Committee: Judiciary.

Title: A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for grants to cities for improved street lighting.

Action: H.R. 565 was referred to the Subcommittee on Crime on February 7, 1975. Executive comment was requested from the Department of Justice on the same day.

H.R. 921 — Telephone

Sponsor: Randall. Introduced: January 14, 1975. House Committee: Judiciary.

Title: A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to states for the establishment, equipping, and operation of emergency communications centers to make the national number 911 available throughout the U.S.

Action: H.R. 921 was referred to the Subcommittee on Crime on February 11, 1975 where it is pending with no action scheduled.

H.R. 11193 — Federal Firearms Act

Sponsor: Conyers. Introduced: December 16, 1975. House Committee: Judiciary.

Title: A bill to amend Title 18 of the United States Code to provide for more effective gun control, and for other purposes.

Description: Sets forth Congressional findings with respect to the need for legislation to amend the Gun Control Act of 1968. License fees for manufacturers, importers, dealers, gunsmiths and pawnbrokers are increased to make the regulatory system cost-effective. New license classifications are established for wholesalers and retailers. The Secretary of the Treasury is required to inspect the premises and records of manufacturers and importers prior to granting annual license renewal in these categories. Interstate carriers of firearms are required to report theft of firearms and ammunition and to comply with regulations prescribed by the Secretary to minimize risks of loss, theft or pilferage in transit.

In addition to unlawful acts already in effect, the bill makes it unlawful to sell, purchase, transfer or purchase for resale more than one handgun in any thirty-day period without prior approval from the Secretary (not applicable to transactions between licensed firearms dealers): to knowingly sell or transfer any handgun in violation of Federal, State or local law; to import or receive handgun parts intended for use in the assembly or manufacture of concealable handguns. It is unlawful for any person licensed under the Act to sell any firearm to a person who resides in a jurisdiction that requires a license, permit and/or waiting period as a prerequisite to purchase without complying with these requirements.

Action: H.R. 11193 was referred to the Subcommittee on Crime on December 16, 1975. Subcommittee hearings, consideration, and mark-up session were held, and H.R. 11193 was forwarded to the full committee on December 16, 1975 and again on March 24, 1976. The full committee considered H.R. 11193 and ordered it reported to the House on April 13, 1976. It is now before the House Rules Committee.

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## Nassau Widens Civilian Role In Non-Enforcement Functions

The Nassau County, New York Police Department is in the process of streamlining departmental functions to reduce the force's operating costs, according to Police Commissioner Daniel P. Guido.

Guido said that the streamlining process will concentrate on merging various departmental operations and increasing the use of civilian personnel for non-enforcement activities. "We are in the process of organizational restructuring with emphasis on the unification of similar functions so as to provide for greater efficiency," he said.

The new operations system was implemented on May 28 and was synchronized with the retirement of a number of high-level department officials. Guido took a further step toward completing the transition on June 1 when he announced the appointment of two new deputy police commissioners. Chief of Detectives Edward F. Curran, a 30-year veteran of the department, was named First Deputy Commissioner, and Lt. Martin L. O'Connor, Commanding Officer of the department's Legal Bureau, was appointed to the post of Second Deputy Commissioner.

Although Guido has already announced the promotions of 10 captains, 14 lieutenants and 20 sergeants as well as the designation of 37 detectives, not all of the vacancies were filled because restructuring eliminated two inspector and two detective captain positions.

The Commissioner indicated that the promotions were prompted by the various retirements in the upper echelons of the chain of command and by the need to fill 22 administrative positions. Thirteen female officers who have been working in investigative assignments were included in the detective designations.

In regard to increasing the civilian staff of the department, Guido said, "If a job does not require an individual to have arrest powers and can be filled by a civilian we will try to do so except where prior police experience is necessary to properly perform the job."

The department anticipates a \$1 million savings for fiscal 1976 by using additional civilian personnel. This coincides with an Action Program which will begin by replacing a lieutenant, a sergeant and four police officers in the department's Data Processing Bureau with six civilians.

One aspect of the restructuring plan may be stymied due to a class action suit brought against Guido and the newly-appointed women detectives by the Nassau Patrolmen's Benevolent Association. According to a department spokesman, the suit charges that the promotion of the women officers to detective constitutes sexual discrimination and is a violation of the Civil Rights Act.

Filed in Federal court, the suit seeks \$1 million in punitive damages and demands that the promotions be reversed.

The department spokesman said that Guido had based the promotions on the assumption that the women were already doing detective work. "He [Guido] felt they should be compensated for it," the spokesman noted. "He felt there was an injustice being done and he wanted to correct it."

### ERRATA

In the April/May issue of Law Enforcement News an article appeared on page 2 entitled "Dover FOP Accuses Department of Cover-ups, Payoffs." In it, Dover police chief William Spence is quoted in response to charges made by former Dover policeman David Gormley. The remarks attributed to Chief Spence were obtained from Delaware News Week, a local publication, but were not attributed to that source.

It is now evident that the quotes were used out of context in both publications. L.E.N. wishes to apologize to Chief Spence for the misconception and extends to him an invitation to clarify his remarks for the record.

## Bomb Technicians Meet in Chicago



Cook County, Ill. Sheriff Richard J. Elrod, second from right, congratulates officers of the International Association of Bomb Technicians and Investigators at their recent Fourth Annual Conference in Chicago. Newly elected International Director of IABTI is Insp. Donald L. Hanson, left, of the San Francisco Police Department, who succeeds Lt. William T. Poe, second from left, of the Louisiana State Police. Host of the conference with Sheriff Elrod is Cook County Sheriff's Police Chief Edmund F. Dolbs, right. Guest speakers at the five-day intensive conference included international experts in terrorist activities throughout the world, technical and investigative aspects of explosives and related topics. During past year, IABTI membership has grown from 350 to 950 officers.

## LEAA's Future Still Hazy As Reauthorization Bills Clash

Continued from Page 1

Juvenile Justice Act, cast his vote against the entire bill as a result of this change. He indicated that he had no objection to the extension of the agency.

In the House committee, approval was given to a formula employing the dollar figure instead of a percentage.

Procedures for the evaluation of state criminal justice plans are spelled out in both the Senate and House bills. The Senate measure requires that, before approving any state plan, LEAA must first assess its probable impact and effectiveness, and then make an affirmative finding in writing, asserting that the plan is valid.

The states would be directed to establish uniform evaluation systems, in consultation with the localities and the National Institute of Law Enforcement and Criminal Justice, under the provisions of the House bill.

Both pieces of legislation approved the Administration's proposed clarification of the Attorney General's direct authority over LEAA operations. The Senate plan backed President Ford's request for the establishment of an advisory board to the Attorney General on LEAA. House committee members said that such a panel was unnecessary.

Finely detailed requirements for annual reporting by LEAA to the Congress were included in both bills.

General floor debate on the different reauthorization measures has yet to be scheduled by the leadership in either house. Until such time as a final reauthorization package is hammered out — a process which could extend all the way through to

a Senate-House conference committee session to iron out differences between the two bills — the future of LEAA after September of this year is left to hang in the balance.

## Wisconsin Report Urges Major Reform for Juvenile Justice System

A report recommending a major overhaul of the Wisconsin juvenile justice system was released at a recent meeting of the Metropolitan Milwaukee Criminal Justice Council.

Among the changes urged in the 212-page document are:

- Decriminalization of the possession of marijuana and alcohol by minors.
- Elimination of status offenses such as running away, truancy and incorrigibility.
- Establishment of a ratio of one police officer specializing in youth work for every 13 officers in 1980.
- Development of written standards for police handling of juveniles.
- An 80 percent reduction in detention admissions by the end of the year.
- Implementation by 1977 of state standards for juvenile probation services, with a state takeover of the system if services are not improved by 1979.

About \$2 million in Federal funds have been set aside to put the recommendations into effect in the state. The findings were based on more than a year of study by the Wisconsin Council on Criminal Justice's Special Committee on Criminal Justice Standards and Goals.

## National Victimization Survey Reports 7.5% Jump in Overall Crime Rate

Continued from Page 3

percent among females aged 20 through 24, and there was a 16 percent decline among males aged 50 through 64. Inconclusive increases were recorded in the overall rates for persons in the 16 through 19 age bracket and the 25 through 34 age group. A slight jump in overall victimization rates was also registered by those whose annual family income was less than \$3,000 or between \$7,500 and \$10,000.

In classifying the findings ethnically, the survey reported that rates for personal crimes of theft rose four percent among whites and 21 percent among persons of Spanish origin while there was no significant change among blacks.

The general household burglary rate showed no significant change between 1974 and 1973, but the survey revealed that there was a 10 percent rise in the rate for white families and for all families with an annual income of between \$7,500 and \$15,000.

Household larceny figures were generally higher in 1974 irrespective of victim residence, except in suburban areas of cities with 500,000 to one million population where there was no meaningful change.

Although there was no significant change in the proportion of rape, robbery, assault, and commercial robberies in which offenders used weapons, the survey revealed that the commercial burglary rate generally rose among retail stores, and in eating and drinking establishments within that group.

The study also reported a 12 percent

increase in the proportion of personal theft victimizations brought to the attention of authorities. However, there was no significant change in the percent of violent personal victimizations reported to the police, according to the study.

Noting that the survey will provide "a fuller picture of the extent and nature of crime in the United States," Velde said, "These data gathered from the victims themselves can help criminal justice practitioners across the country draw up a national strategy to reduce crime."

Based on interviews with approximately 130,000 people in 60,000 households and 15,000 businesses, The National Crime Panel findings are available from the National Criminal Justice Reference Service, 950 L'Enfant Plaza, S.W., P.O. Box 24036, Washington, DC 20024.

### EXCLUSIVE LEN FEATURE

Beginning in September, Ordway P. Burden, consultant to the International Association of Chiefs of Police, the National Sheriffs Association, the International Conference of Police Associations and the Fraternal Order of Police, will be writing a column entitled "Civilian Patrol" for Law Enforcement News.

News and photos on current developments in the police profession, high level promotions, and highlights of speeches by responsible spokesmen should be mailed to Mr. Ordway P. Burden, 663 Maywood Ave., Maywood, NJ 07607.

# Policing in the Vollmer Tradition

## An Interview with Berkeley Police Chief Wesley Pomeroy

Wesley A. Pomeroy was appointed Chief of the Berkeley, California Police Department in 1974. His law enforcement background includes seven years of service with the California Highway Patrol and 17 years with the San Mateo County Sheriff's Department where he moved through the ranks to become Undersheriff. A graduate of San Francisco Law School, Pomeroy has served in the Justice Department as Special Assistant to the Attorney General for Law Enforcement Coordination and later as Associate Administrator of LEAA. Pomeroy has lectured at various criminal justice academies and seminars, and he is a member of numerous professional associations including the American Bar Association, the International Association of Chiefs of Police and the American Academy for Professional Law Enforcement. Noted for his contribution in the areas of corrections, community relations, conflict management and administration, Pomeroy is a consultant to a number of criminal justice related institutions. His publications include "Police-Community Relations," "New Trends in Police Planning," and "Rehabilitation at the County Level."

This interview was conducted for Law Enforcement News by Joseph Peterson.

**LEN:** Chief, the Berkeley Police Department has had a reputation over the years for maintaining a high level of integrity among its personnel. Can you explain or expand upon what you feel accounts for this reputation?

**POMEROY:** Well, I think it has to do with the origins of the Department. August Vollmer began the Department, built the Department, and his impact was very substantial and is still felt, because he was Chief of Police for some 27 years. It's not often overtly recognized that Vollmer's influence was so profound but I think that's why the Department is the way it is today.

There's always been a deep pride in Berkeley being better. They've got a reputation for being innovative



Chief Wesley A. Pomeroy

in education, whether it's for a degree or not.

**LEN:** Recently, this past year in a state on the East Coast, one of the courts ruled unconstitutional the practice of giving such education benefits.

**POMEROY:** Yes, that's in Arlington, Virginia. I don't think that would apply here. As I understand that decision, it was based on the idea that Blacks haven't had opportunities to gain higher education — to take advantage of the benefits. There's so many junior colleges in California that I don't think that would be a problem.

**LEN:** Do you think that low salaries can contribute to an atmosphere that's more conducive to corruption?

and creative and having a high respect for integrity. The corruption has never had an opportunity to get a foothold, and I think that's very important.

It's remarkable to me, because I'm an outsider and have been here only fifteen months, to find a department where everybody from the top down is proud of the fact that it's a disciplinary offense to take a free cup of coffee.

**LEN:** Is there a relationship, do you think, between higher education levels of police officers and integrity?

**POMEROY:** I don't think so. I'm certainly an advocate of better educated police officers and we certainly need to keep pushing for better education. But in our selection process we should be interested in selecting basically good people for the job, people who are empathetic to the needs of various communities in the city, just basically decent people. I see education as giving that basically good piece of material more skills to do the job better. I really don't think education has anything to do with whether or not you have corruption in a police department. As a matter of fact, I'm not so sure corruption has much to do with whether a police officer is a good police officer in some departments. It would make a difference here, but... it's a very curious phenomenon.

**LEN:** The reason I asked that is because Berkeley has had a reputation of having the highest ratio of police officers with a college degree. Is this still the case?

**POMEROY:** It's not as true as it was. It's still pretty much true, but not because of any current policy that we have now.

**LEN:** Do you have any policy for giving pay increments or other sorts of benefits to officers with advanced degrees?

**POMEROY:** Yes we do. We have pay increments for officers continuing their education, for advanced degrees, for participating in an ongoing basis in outside activities

Or that higher salaries could help keep corruption to a minimum?

**POMEROY:** I think there is a relationship between salaries and corruption, but it's a relationship that's really a result of a tacit understanding by everyone in a community. The tacit understanding, I believe, would be that, "we won't pay police officers very much because we expect them to make it on the side." I've heard that said about other cities and I think that's probably how salaries are set. Therefore, there's no push toward higher salaries because of this outside income. In that way I think salaries are related to corruption. I don't believe, on the other hand, that if there's a propensity toward corruption and everything else is working toward saying corruption's all right, that high salaries would make any difference because you could be paying a police officer \$20,000 a year, for example, (which is a high salary) and you could also have corruption. It's just an opportunity to make some more money. I don't think salaries per se do this. But the way people look at salaries, and the way the whole city and the society in that city look at salaries is extremely important.

**LEN:** As Chief Executive, how do you actually know about the presence or absence of corruption in the agency which you're directing? How do you really know what the individual officer is doing on the street?

**POMEROY:** Well, that is difficult. Probably less difficult in a city of this size of 120,000; but there are several things that can be done. First of all, you have to maintain a constant pressure on activities that could lead to corruption in the city, no matter how comfortable you feel that there is no corruption. That means, regardless of how ridiculous one might think the laws against prostitution are, that you enforce prostitution laws. That you keep enough pressure on so that in case any officer on the beat is tempted to take graft from a prostitute

or from a pimp, you're setting it up so that they have nothing to sell. Because they have no control if there are going to be busts of prostitutes. It also means that in Berkeley where you have a number of massage parlors where there is a declared city policy that the police shall not interfere unless there is some overt indication that something illegal is going on, I construe that very liberally and I send Special Investigation Bureau officers around on an occasional basis to make an occasional arrest to keep things honest and to make sure no illegal activity is allowed.

One of the first things I did after I came here was to meet with the local head of a Federal Agency who set up a couple of meetings with his Director of his Enforcement Unit and gave them not only carte blanche to the city but invited them to come in and make an evaluation and assessment for me. I wanted to make sure the city was clean — and incidentally the only other person who knew about this was the captain in charge of the detective division — because although I had no reason to believe anyone was taking anything from anybody, I had been around enough to know that things aren't always what they seem and I needed to make sure that what I thought I was seeing was what was actually there. Nobody else knew about this, including the city manager, council members, and no one else in the department. So I had them come in and have a very detailed look at everything — massage parlors, the street activity, even occasional informal gambling operations — some in the back ends of bars. I invited these units to stay in, to keep looking at us.

**LEN:** So, you intend to maintain that policy throughout your tenure as Chief?

**POMEROY:** Yes, no question about it. I don't advertise that to members of the department, but these men are very proud of the fact that their department is clean.

**LEN:** What about agency size? Do you think that as the size of the agency and the city being served increases that the probability of corruption developing also increases?

**POMEROY:** Oh sure, not only size but the age of cities, the way cities have developed; the cities on the East Coast, with all their cultural patterns and values, were set a long time ago. Those things tend to perpetuate themselves. They're hard to change. We're a long way from the spoils system here, theoretically, but those things in the East started over a hundred years ago and it's hard to change them. The cities on the West Coast are a little luckier, because we're newer out here, our cities are more open and they don't have the massive vertical concentrations of the population. We still have corruption in some places in the West, but it's easier to see it.

**LEN:** In discussing the role of the chief administrator, do you feel that there is one particular type of managerial "style" that is perhaps more supportive of an atmosphere where corruption might develop than another style? What has been your experience?

**POMEROY:** Well, my experience in so far as large departments are concerned is limited because I've never been Chief in a large city. I would say it's more a matter of attitude and how one expresses that attitude, which I guess is part of style. One thing I see among a lot of police administrators that used to surprise me but it doesn't anymore, are very decent guys, who are well thought of and whom I regard very highly, who say "Well, we have some corruption in this city, even in our police department, but it's probably not as much as in other big cities and we have to expect some of that." I think that's a lot of bullshit. I just don't believe you have to say that. I think that the Chief of Police or Commissioner should say, "Corruption is absolutely unacceptable. Wherever it is, I'm going to root it out. I may be a loser, I may not do it, but I'm going to try. We start out with the premise that there shall be no corruption and I want everybody in this police department to know that. You're all grown men and women, if you've got anything going you'd better get rid of it. I'm not going to root back for years, but from now on, we have the policy that corruption is absolutely unacceptable. If anyone gets

Continued on Page 9

# LAW ENFORCEMENT NEWS

Special L.E.N. Supplement

## Police Intelligence: The Operations of an Investigative Unit

### The Police Response to Subversion

The following excerpt is from an important new book, *Police Intelligence*, by Anthony Bouza, Assistant Chief, New York City Police Department, published by AMS Press, 56 East 13th Street, New York, New York (\$10.00). The author is a former commander of the Bureau of Special Services (BOSSI) which, according to the author, "has gradually ceased to be an effective unit." *Police Intelligence* is an account of the author's views on the nature and function of a municipal police intelligence unit.

The use of knowledge, information, or intelligence can silence and defeat a mayoral candidate, or it can immobilize an activist attorney. It can help elected politicians and their appointees to remain in office, and it can help them to keep others out of office. It can even reassure the office-holders of their virtue as the sins of others are confirmed by hard evidence. A local or national administration can cloak itself with a self-righteous mantle of morality under which any action may be pursued.

An effective intelligence agency is a powerful instrument for the protection of society or for the private use of political office-holders and administrators. Powerful men will want to use a strong agency for their private purposes, and secrecy, a frequent necessity, can be extended on flimsy pretexts to conceal corrupt practices. It is almost axiomatic that secrecy will breed grotesque distortions of behavior and activity while openness and inquiry will help an intelligence agency to fulfill its proper mission.

The Watergate disclosures and related investigations of the FBI, CIA, IRS, and other governmental agencies have placed the problem in precise focus, but a resolution of the problem, as always, is not simple. The protection of a democratic society requires the existence of effective intelligence agencies. Democracy and the freedom it allows require that the agencies of the government remain responsive to the will of the people. That responsiveness is usually achieved through a system of checks and balances that keeps the major branches of government in contention and more or less under constant surveillance and question. If any area of the operations of any governmental branch is spared scrutiny, then that area is ripest for abuse. Watergate has shown that a democracy cannot afford privileged sanctuaries of inquiry.

The Bureau of Special Services, account-

able to the hierarchy of the New York City Police Department, was at all times an instrument of possible abuse. Subjected to no independent audits, accountable to no outside agency for its operations, overseen by no one, the Bureau could have undertaken any inquiry into any area of activity. It is easily conceivable that an ambitious police executive could curry favor with a mayor by giving him politically valuable information on friends and foes. It is more than conceivable that the FBI under J. Edgar Hoover engaged in abusive practices, and it is now certain that the CIA engaged in illegal activities.

All of these powerful intelligence agencies can be employed positively or negatively. The challenge to a democratic society is to make intelligence agencies effective representatives of the nation's laws and of the people.

That the enforcement of laws and the safety of the people of New York City is the responsibility of the Police Department can require the Department to be involved in activities as varied as preventing a petty theft with the presence of a foot patrolman to the interdicting of a complicated plot to assassinate Civil Rights leaders by an extremist group. The Police Department relies not only on the deterring effect of an omnipresent uniformed officer but also upon information garnered by its intelligence apparatus.

The Bureau of Special Services is charged with gathering and compiling intelligence on subversive activities and transmitting to the Police Department data on people and groups who, because of their plans, are likely to create problems requiring police attention. This charge is the most important responsibility of the Bureau; it requires the greatest expenditure of time and effort; it determines finally the success or failure of the enterprise.

Subversion is generally defined as an effort to overthrow or destroy government through illegal means. As with most words that contain an emotional charge, this one has been used so often that its true meaning has been all but obliterated. Nothing is more dangerous than to permit hazy concepts of subversion to arise and control policy, for then witch hunts are certain to follow. The Bureau of Special Services applies the synonym of criminality to subversion; if an act is not a crime, then it is not subversive. This definition gives the word concrete form and provides an investigation with a definite focus.

The New York State Penal Code is concerned with many crimes that cover the specific acts of subversive groups. They include anarchy, conspiracy, riot,

assault, disorderly conduct, and many others. Weapons statutes also play an important role in these acts.

Contemporary American society harbors many different political groups who seek to overturn the government or frag-

felt strongly that we were also the guardians and guarantors of constitutional rights of free speech. The history of the Bureau is replete with references to its championing the rights of dissidents to be heard, and, during the early 1960's, Lincoln



ment it. The Nation of Islam or Black Muslims seek reparations from the United States for three hundred years of slave labor and call for the establishment of a separate black state somewhere within the country. The recent liberalization of the Black Muslims becomes all the more remarkable for its contrast with the Muslims' racist history of enmity toward the "blue-eyed devil." Probably motivated by such forces as the popularization of the moslem religion — especially by black athletes — Wallace Muhammad, upon succeeding his father, Elijah, made the surprising announcement, in the summer of 1975, that the Nation would no longer exclude whites. A basic change in the philosophy of an organization like Wallace Muhammad's must alert an intelligence officer to the existence of social forces that may remove a group from the ranks of subversive organizations and classify it as a legitimate religious entity. It is early to judge the ultimate direction the Black Muslims will take, but 1975 marked an abrupt philosophical change of direction of the group.

The American Nazi Party, although small and ineffective seeks to establish a fascist state and to eliminate "Jewish traitors." Ironically, the Bureau of Special Services became a champion of free speech when the Party was active. Although this philosophy was anathema to us, we all

Rockwell, the head of the American Nazi Party, asked for a permit to speak at Union Square. The issue of free speech was never more clearly drawn. At first, the Civil Liberties Union fought for Rockwell's right to speak but, it seemed to me,

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#### About the Author



Anthony V. Bouza spent eight years with the New York City Police Department's Bureau of Special Services. While connected with that intelligence agency, he was involved in preventing assassination plots, and thwarting other types of subversive activity. A 23 year veteran of the NYPD, Bouza is presently an Assistant Chief in command of all uniformed forces in the borough of the Bronx.

## "Police agencies are frequently confronted with the dilemma of a good cause being supported through breaches of law. The virtue of a cause cannot blind police to the need for information upon which to respond to what are, ultimately, disruptive acts."

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abandoned him under the pressure of critics who successfully kept him from speaking. I fought hard on this issue and felt that its defeat had done violence to the Constitution. The issue dropped from public consideration, and Rockwell never spoke in New York City.

The Progressive Labor Movement calls for "smashing the state," killing police and judges, and organizing a "people's militia" to realize the goals of this Peking-oriented communist organization. The Nationalist Party of Puerto Rico has engaged in acts of violence throughout its history to promote independence for that island. Militant black groups have actively promoted racial hatred and engaged in violence. Other organizations like the Minutemen have not hesitated to break laws in attempting to be heard. These and other groups of similar illegal persuasion are the legitimate concerns of any police department. The only effective surveillance is provided by an alert intelligence unit.

In addition to the blatantly subversive, other groups, individuals, and movements require surveillance by police. The pacifist movement rapidly expanded in seeking an end to the involvement of the United States in Vietnam. In pursuing their policies, pacifists engaged in mass meetings, marches, parades, picketings, sit-ins, civil disobedience, and occasional deliberate violations of law to force a confrontation with authority.

The student movement, as a result of decided pacifist tendencies coupled with determined interventionism in the administration of schools, created problems for law enforcement agencies. Students resorted to deliberate violations of law, characterized mainly by obstructing the functioning of their schools, to state their objectives. Their acts ultimately became the concerns of police.

Policing student activities, a particularly sensitive area of police operations, cannot be abdicated because of spurious considerations of academic freedom. A campus is not inviolate from legitimate police inquiry, and crimes like assault or destruction of property must be investigated in the same way as crimes occurring in other public places. Addison H. Fording wrote:

"If a police agency which may be faced with a major campus disturbance is to be forewarned and properly prepared, it is essential that personnel be assigned to maintain a continuous observation of campus activities. The identity and background of student organizers should be known, since it may well provide a clue as to the action which can be anticipated. Rallies and meetings should be attended and published material carefully studied."

The Civil Rights Movement was comprised of people who represented many varied points of view as to what means were to be used to effect social change. Nevertheless, even the most pacifistic groups within the Movement resorted to sit-ins, chain-ins, lie-ins, and other forms of civil disobedience to demonstrate publicly their goals. It is important here to distinguish between the committed citizen who engages in civil disobedience as a protest, and who openly accepts the possible consequences of disrupting the public peace, and the criminal — like a terrorist or a murderer who strikes alone and who has no intention of confronting society. The former citizen is expressing an act

of conscience to engage other citizens in debate, while the latter attempts to gain his ends through terror and intimidation. People working in law enforcement must learn always to distinguish between these two kinds of acts as they did in the 1960's when urban summer riots came to be understood as civil disobedience and protest.

In addition to groups in major movements, many good-sized groups, exiled from their respective countries, demonstrate in New York City and often break laws. Discussing all of these groups, W. Cleon Skousen wrote:

"Recent outbreaks of civil disturbances and insurrections have only highlighted the widespread need in some areas for solid, well-trained officers in the specialized field of collecting intelligence data."

Today, any intelligence unit must deal with the contagious effects of the philosophy and activities of movement groups. A result of the social and political foment of the 1960's is the increasing involvement of middle-class groups violating the law to achieve their goals. In New York City, a stall-in was organized by residents in Queens in October 1967, who blocked the entrances and exits of John F. Kennedy Airport to complain of the noise caused by the jets flying overhead. A few weeks later residents of the Sheepshead Bay area of Brooklyn blocked traffic to dramatize their demand that a low-income housing project not be erected in their neighborhood. A similar housing controversy in Forest Hills in Queens further illustrated the frustration of middle-class people and their increasing willingness to act militantly.

These demonstrations, engaging as they did the one element thought to be the rock of stability in American society — the middle class — very dramatically illustrate the contagious nature of the disease of resorting to lawlessness to achieve a group objective. Recently, middle class citizens have closed fire stations by picketing to protest cutbacks in firefighting personnel, and when sanitation personnel were reduced, people ignited piles of garbage in the street to increase the number of garbage pick-ups in their neighborhoods.

Police agencies are frequently confronted with the dilemma of a good cause being supported through breaches of law. Like the problems of the middle class, the international plight of Jews in Russia may be addressed by chain-ins at the United Nations or harassing Soviet officials at their embassy. The virtue of a cause cannot blind a police agency to the need for information upon which to respond to what are, ultimately, disruptive public acts.

A police department must have the information continuously at hand to cope with the problems posed by the activities of disruptive groups. The delicate balances necessary for the functioning of a democratic society of checks and balances can easily be damaged by the irresponsible actions of a willful faction. A democratic society is vulnerable to attack, and this very vulnerability is what tempts assaults.

### Overt Operations

Contrary to popular belief, the compilation of intelligence data is essentially a prosaic, unromantic process. Allen Dulles frequently stated that most intelligence information is freely available in newspapers, books, official reports, and on radio

and television programs. To deal with all this information, trained personnel must be developed who are able to determine what intelligence is useful.

An important intelligence consideration is the selection of targets, i.e., who or what is to be observed. Selection is made particularly sensitive by the ramifications of a public disclosure of error. If an innocent person or organization were subjected to official scrutiny, the disclosure of error would result in embarrassment for the police and intensified attack by people interested in eroding public confidence in the police. Attacks against police are made most of the time, but their effect is weakened by the absence of concrete data upon which to base the charges.

The small but active organizations who seek to discredit local or national government will frequently focus upon the police, the most visible and attackable symbol of government. In a real sense the police are engaged in a battle for the minds and hearts of the public, especially in the ghettos. There, the revolutionary rhetoric centers on "the oppressor" — the police — as the hated symbol of an exploitative system. Rhetoric is fleshed out with charges of "police brutality" and spying by the "fascist pigs." Any shred of evidence that supports these charges enlists more converts to a revolutionary cause. The police have to be extremely careful to avoid lending any credibility to these charges and to repudiate with evidence, those same charges as soon as they are made. The public has a right to know and the government has an inescapable responsibility to inform.

Viewed from a narrow perspective, modern times, especially since the invention of the press and the computer, may be seen as an age of information. Learned tracts are published on every conceivable subject; pamphleteers busily distribute

contains sixty exhibits relating to that person's schooling, employment, military service, driving history, criminal antecedents, family history, and social and political affiliations. The sources from which a police dossier is compiled are mines of information for the alert intelligence agency, for those sources may be used again to compile dossiers on young subversive activists and terrorists.

When an array of data is matched to the inevitable necessity of attracting adherents to a radical cause, the investigative direction is determined for an intelligence unit. A subversive organization must grow in numbers if it is to grow in strength and influence, and growth cannot occur without attracting new activists. If the aims of a group are too extreme, then they may be muted or compromised, but goals cannot be completely changed, or the organization will be unwittingly attracting ideological adversaries into its ranks.

An organization must have a program, leadership (although several ingenious stratagems, notably the "cell system," have been employed to circumvent administrative leadership), meetings, literature, and the other accoutrements of organizational life because of their utility, convenience, and value. Once a person or an organization has aroused enough suspicion to warrant an inquiry, a background investigation is conducted. The selection of the target by the intelligence unit's commander, or a high ranking police official, is a sensitive choice. The criteria for selection are ill-defined, and judgments are usually subjective. One commander's target may be another commander's cause. The choice of a target has rightly developed into one of the really controversial problems of intelligence operations. Although no solutions exist, law enforcement professionals can begin to approach

american nazi party  
progressive labor  
movement · national-  
ist party of puerto  
rico · black liberation  
army · the minutemen  
jewish defense league

their wares; doctoral candidates write on the most esoteric subjects; television scrutinizes and analyzes a bewildering array of problems; newspapers summarize and quickly distribute information. We are continuously bombarded with reams of data, and we unconsciously develop selective sensory filters that help us delete extraneous information as well as help us to retain what is useful.

It is an age when more aspects of life become officially documented. We are identified by digits, credentials, licenses, credit cards, medical bracelets, and historical records of our activities from birth to death. By the time a young person of twenty-five is ready to enter a police department, a dossier can be compiled that

the problem by asking: Who selects the targets? On what basis are they selected? How thorough should the investigative penetration be? At what point should it be discontinued? How chilling is the effect of such surveillance on personal privacy and on the exercise of political expression?

When a group is the target of investigation, an inquiry will begin by determining the character of the organization. Is it a corporation with public stock, with members, or with religious affiliations? Is it operated under a trade name? The answers to these and other questions can be obtained from the office of the County Clerk where the principal place of business

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# "The covert operations of an intelligence unit invariably get agencies into trouble and frequently result in the worst public images of police. The law, however, is the touchstone which should effectively prevent the abuse of secrecy."

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is on file. The laws of New York State offer definite advantages to the corporate structure, and incorporation is widely used to establish an organization's legal existence. On the Certificate of Incorporation is the name of the corporation, its officers, and its purpose.

This basic information can then be explored through credit rating agencies for information and enable the investigator to visit the location of the organization. Licensing agencies and other branches of government can be consulted when relevant. This early, basic phase of an inquiry is concerned with accumulating the recorded history of an organization, and all promising leads, which differ in practically every case, should be pursued to their sources.

When a person is being investigated, the individual's record can be determined through agencies that recorded birth, education, marriage, employment, military service, criminal history, credit rating, voting history, and residence locations. Each individual case will point in a distinctive direction, but at the beginning of an inquiry, all available information should be gathered. Later redundant material may be deleted. The ready availability of all this data on organizations and individuals makes an intelligence agency a tempting tool for unscrupulous politicians. The secrecy of the operations, the contacts developed, and the sources used all add to the attractiveness of using the unit for political purposes.

Intelligence operatives know from experience that a thorough inquiry into almost anyone's background will reveal damaging facts. The existence of these facts — and an agency that can discover them — can prove to be a temptation to ambitious police and politicians. Yet to make a thorough inquiry, an intelligence agency is rarely restrained by moral considerations; it has a case to investigate through, to a satisfactory completion. Egil Krogh's question, "Is it right?" — as he belatedly remembered the moral imperatives behind executive acts — has often seemed an obstacle to successful intelligence gathering. Although it has no moral mandate, an intelligence unit must avoid the possibility of allowing its intelligence to be used illegally, and Congressional investigations of the CIA and FBI have helped to determine instances when illegal abuses of intelligence have occurred.

Ironically, an individual's record almost invariably contains background information that would alert any security agency. The most successful spies of this century, Richard Sorge, Burgess and McLean, all had references in their dossiers that indicated that they were very poor security risks. Sorge had references to youthful left-wing activity in the Gestapo files when he was spying for the Russians in the German Embassy in Tokyo. His case poses the classical dilemma for a free society: what is a security risk, and to what degree should a person's past be held against him? Sorge was able to give Stalin the two most vital pieces of information the Russian leader required: the approximate date of Germany's attack on Russia and the fact that Japan would not participate in that attack. The latter fact permitted the Russians to shift their Siberian armies to the European front.

Once recorded data are obtained, an

investigation then focuses on the activities of an organization. Meetings are attended, picket lines observed; literature collected; activities watched. All observations are recorded. Placards on picket signs frequently become the clearest indication of the goals of an organization. A picket line, usually limited to communicating its message with shouts and chants, faces the problem of communicating its purpose to the general public. Picket signs — brief, clear, and striking messages — must state the reason for the demonstration and, as a natural consequence, the purposes of the organization. "Free Soviet Jewry," "Independence of Puerto Rico," and "Down with the Pigs" are, or have become, messages of unmistakable clarity and, for police, identifications of groups being investigated. The true leaders of an organization can also be detected at demonstrations from observing the behavior of the participants. Relationships within the organization and identities can be deduced from noting automobile license plate numbers on cars delivering people to join the group.

Overt operations will not elicit secret data or generally result in information that



exposes criminal behavior. However, overt inquiries, usually undertaken by detectives, reveal plans for future meetings, picketings, and other demonstrations that may require the attention of police. Of central concern is the necessity of keeping police management informed of future demonstrations so that allocations of manpower can be made on a rational basis. Overt surveillance also provides promising leads for follow-up by undercover operations.

W. Cleon Skousen described the function of an intelligence unit's protection of society as involving knowledge of: 1. subversive groups with the identity and background of their leaders, 2. problems of minority groups and where channels of liaison might best be developed, 3. procedures necessary for V.I.P. security, 4. current labor and management problems, and 5. the latest activities of special interest groups likely to become involved in civil disturbances or riots. Mr. Skousen adds that an intelligence unit should collect, correlate, interpret, and distribute information. Moreover, the unit must keep the Chief of Police informed of its activities, for as George P. McManus has

said, "The Chief cannot know too much about the community, and he dare not know too little."

## Covert Operations

The covert operations of an intelligence unit are those undertaken in secrecy and anonymity. These activities invariably get agencies into trouble and frequently result in the worst public images of police. The law, however, is the touchstone which should effectively prevent the abuse of secrecy. Covert operations are tempting



to use, and few restraints exist to curb them. In using secret investigations, an agency must exert an almost religious adherence to the law. The intelligence unit is frequently tempted to think of the results to be obtained by investigation rather than the rightness of the methods used. However tempting the objective, e.g., the interruption of a criminal plot and the arrests of the plotters, the intelligence officer must subordinate objectives to the primacy of the law. Failure to subordinate objectives to the rule of law is the mistake that most often damages an intelligence agency.

Secret operations are generally obnoxious to citizens in a democracy. Bitter antagonisms are engendered when it is discovered that the inquiries have taken the unit beyond legal limits. Recently, for example, the Central Intelligence Agency gave aid to some student groups to promote "favorable" campus activity. The agency appears to have exceeded the mandate Congress gave it to limit its investigations to matters outside the United States. The appearance of excess was enough to generate enough Congressional opposition to cancel these domestic activities. Further, the action impaired the future integrity of the CIA by eroding public confidence in it.

David Wise and Thomas B. Ross wrote: "The secret intelligence machinery of the government can never be totally reconciled with the traditions of free republic . . . the solution lies not in dismantling this machinery but in bringing it under greater control. The resultant danger of exposure is far less than the danger of secret power. If we err as a society, let it be on the side of control."

Nevertheless, the police of necessity must sometimes engage in covert investigation operations, in so far as the law allows, if the objective of community safety is to be even partly realized. For example, society cannot be left to the mercy of terrorist predators who strike at will to cause havoc, misery, and death.

Covert operations include the use of informants, undercover police agents, surveillance techniques, and the use of technical investigative equipment like "bugs" and wiretaps. Many police agencies use "inside" informants who are in a position to reveal the developments within an organization. Using informants, like every other investigative stratagem, has its virtues and its drawbacks. Informants do furnish data coming directly from the target, with few risks for the agency, since

the informant is not officially connected to the government. Informers are relatively inexpensive and easy to control. However, because a paid informant is generally under economic pressure to furnish information, he may fabricate some data to keep money flowing to him. A conscientious informer frequently loses his enthusiasm after he evaluates the risks and experiences the boredom of the assignment. The possibility also exists that an informant may be "planted" to deliberately mislead an intelligence agency. Frequently the use in an organization of two or more informants, unknown to each other to be furnishing data, serves as a verifying control. No matter who furnishes information, it must always be subjected to the test of verification.

Undercover police agents are social and political chameleons, selected precisely because they are able to blend naturally into the background of an area or group. They assume new identities to conform to the specifics of the target group, and gradually they insinuate themselves into the confidence of the organization. Propinquity becomes a major stratagem of the undercover informer. That he is readily available, willing to help, and ready to undertake arduous or unpleasant tasks for the infiltrated group quickly endears him to the group's leaders. To the informer, time cannot be viewed as the objective passage of minutes or days but rather as a function of the memory of an organization's leader. An agent may spend many hours on a group's work over a period of only six months, but frequently group members will come to accept, by a process of memory osmosis, the idea that he has always been there.

Great care must be taken to protect the undercover agent. An intelligence unit must assume that eventually a thoroughgoing inquiry of possible infiltrators will be undertaken by the target group. As a matter of fact, the more dangerous the target group, the greater the care taken in

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# "The undercover operation must be a distinct area of police work. The agents are informational sponges, carefully absorbing data coming within their purview and gradually working themselves deeper into their target areas."

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checking new members of the group. To the informant, contact with the intelligence unit must be available to him at all hours of the day and night. The control or contact at the unit must guide and advise the agent through the entire investigative assignment.

An undercover agent lives, breathes, talks, eats, and sleeps his assignment. The fewer the social relationships he has the better. What made Ray Wood such an outstanding agent in the Statue of Liberty case was his lack of familial ties, his being from out of town, and his ability to devote himself totally and exclusively to his job. His knowledge of the jargon and workings of the New York City Police Department was minimal, while his commitment to the assignment was total. No police records were available on him when his case was resolved. All police matters relating to his investigation, appointment, and career had been centrally kept by the officer in charge of the Statue of Liberty case. No member of the Police



Department could have discovered that Wood was a city employee. He had never set foot in any official police installation during the first months of his career except as a prisoner to be booked!

The undercover operation must be seen as a separate and distinct area of police work, requiring its own administrative and organizational machinery, plant, and procedures. The agents are informational sponges, carefully absorbing data coming within their purview and gradually working themselves deeper into their target areas to develop access to increasingly sensitive information. Even the identities of other police officers within the same target area cannot be revealed to these agents. By not identifying agents to one another, the investigative unit safeguards its necessity to verify their informers' reports.

An undercover agent must be given a cover story that creates for him a new identity including a new name, birthplace, family, educational background, identification documents, and employment records. An undercover man or, since they are frequently employed, woman, is an extremely valuable investigative operative because his or her activities can be manipulated. As a salaried employee and as a motivated, dedicated police officer, the agent can be ordered from one group to another and from one activity to another. The agent's investigative work can be guided and directed from hour to hour if



necessary. Because undercover agents are police officers, their loyalty and responsiveness generally are far more assured than that of informants.

The investigative endeavor must be an organic process. Data gathered must be useful, germane, and accurate. Each stratem is employed not only for the information it can elicit but also to verify the accuracy of material already contributed by other investigators.

Surveillance can involve observation of a location to determine how it is being used and who frequents it. People might be followed to determine their activities, and people, places, and things may be photographed for evaluation and analysis. Surveillance also includes recording license plate numbers of vehicles, rummaging through garbage cans for bits of discarded information, or simply mingling with a group to overhear conversations.

Surveillance is usually defined as a continuous observation of an individual or an area to detect developments, movements, or activities. It is an old as history itself. Even the Old Testament records that Moses sent men "to spy out the land of Canaan," and they returned after forty days to report to Moses, Aaron, and "to all the congregation of the children of Israel."

Although spying is an old activity, its techniques have been greatly enhanced by technological progress. The development of photography and the discovery of electricity provided investigators with an array of new devices. Miniature listening devices have also increased the sophistication of spying. Today there exists a bewildering variety of electronic spying gadgets which are perhaps best symbolized by the transmitting "olive" in a martini or more recently, by tape recorders in the White House. As technology produces increasingly effective machines for spying, law enforcement personnel may be tempted, in using the machines, to exceed the legal boundaries. The greatest restraint must be imposed by the law and by law enforcement officers in the use of these machines for spying or even simply recording information.

Wiretapping has been called the "single most valuable and effective weapon in the arsenal of law enforcement," and the President's National Crime Commission endorsed the use of wiretaps and "bugs." All supporters of wiretapping and bugging, including the Commission, invariably

couple the demand for legalizing the use of wiretapping with the imposition of strict legal controls for its operation. Yet wiretapping, as well as tape recording, has been discredited because law enforcement agencies abused its use. Investigative administrators have not learned that ends, however noble, cannot justify illegal means. An Attorney General's claim that he can wiretap in "national security" cases without authorization or judicial review, undermines public confidence in electronic surveillance. His later conviction of a crime, and his obvious misuse of power, should alert all law enforcement personnel that the use of electronic surveillance devices is an extremely sensitive, legal area of investigation.

Every investigation of consequence tests the mettle and resourcefulness of the investigators. An arsenal of resources — tactics and skills as well as technological devices — are available to investigators. Wiretapping — the interception of telephonic communications — is a useful investigative weapon when used legally. It is a truism of police work that even the most careful conspirators have careless moments on the telephone. It requires iron discipline to participate in phone conversations and avoid incriminating remarks. Sooner or later, even when a tap is suspected, a moment will occur when useful information is inadvertently revealed to the alert listener.

President Nixon, knowing that his office was bugged, could not maintain his guard and was eventually driven from office by tapes he knew were recording his comments. It is remarkable that he was unguarded enough to incriminate himself, yet an experienced investigator would have predicted inadvertent self-incrimination.

New York State requires that a court order be secured from a justice of the Supreme Court before wiretapping can begin. The order is requested by a District Attorney or Attorney General and is in effect for a maximum of thirty days (although it can be renewed). The granting of the order is predicated on a set of explicit facts that must convince the judge that evidence of crime will be elicited through wiretapping. The penalties for illegal wiretapping, which is a felony in New York State, are severe. The wiretapping equipment is centrally kept and secured to preclude improper use, and installations are directed from one major office that will

undertake wiretapping only under court order. The controls over electronic surveillance, which have evolved over the years, are now reflected in the "Eavesdropping Warrants" section of the Criminal Procedure Law. They are so stringent that they make wiretapping practically useless in the one area of investigation — organized crime — in which it has been successfully employed.

Although evidence secured through wiretaps is rarely, if ever, used in court, this material nevertheless becomes an indispensable part of an investigation, leading to the discovery of other conspirators, fresh evidence, and new leads. Under Section 605 of the Federal Communications Commission, it is a violation of federal law to divulge to anyone the contents of a telephonic communication.

Generally, the same principles that control wiretapping apply to bugging, which is electronic eavesdropping on conversations. The Supreme Court has held that recording conversations with "bugs" constitute a trespass and cannot be used as evidence. Most law enforcement officials support the President's Crime Commission's position that wiretapping and "bugging" should be permitted legally.

The investigation of subversive activities is largely a process of penetrating a criminal political conspiracy. Experience and logic have demonstrated that even with informants, undercover agents, surveillance techniques, and electronic devices as its basic means, investigating subversion is still one of the most difficult tasks of an intelligence unit. In New York City, the Bureau of Special Services encountered many such difficult jobs.

When the Knapp Commission undertook an aggressive investigation into police corruption, it learned how sensitive a covert investigation can be. It was the theory of the Commission that police corruption was a thoroughly developed system that required deep and determined probing — and a systematic prescription — rather than the identification and isolation of separate cases of corruption.

Taking a cue from BOSSI's previous intelligence experience, the Commission planted "field associates" in police ranks to spy on police activities and to report serious breaches of discipline or law. Policemen caught acting illegally were "turned around" when they were urged to cooperate to uncover further corruption. The police went into businesses of all kinds to discover what our own employees might be doing to or with them. Agents got their names on "pads" — lists of businesses and people who regularly pay off police for protection — to discover who was receiving money illegally. Agents would turn wallets containing money in to police officers to test integrity. Other "self-initiated investigations" were devised and employed as strategies that were unprecedented in that they pitted police officers against police officers. Although a wide variety of positive training programs were undertaken to secure rank and file assistance and cooperation with the Commission, using the methods of BOSSI to uncover police subversives was demoralizing to most members of the Department; undercover investigators who were independent of the Department should probably have been used by the Commission instead of turning police against one another.

# "I think the Chief of Police has to accept the responsibility of being a social change agent — he has to take that responsibility. If you're going to go on popularity of the majority, you're not going to be doing the right thing."

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caught, you're not only going to be disciplined, you're going to be sent to prison. We really mean business."

There was a possibility I would have headed up a large city in the past, and I know for a fact that there is one city where I would have been hired, but was not, and it was because I told the Mayor in an interview that I intended, before I came, to talk to the organized crime people in the Department of Justice in Washington, the Bureau of Narcotics and Dangerous Drugs people, the United States Attorney, and the FBI and Treasury before I left Washington to come out, and I was going to declare an "open season" on corruption in my city. I intended to invite them all to come in and let them do all the work they could because I didn't think there was any excuse for having corruption. That was my baseline.

I have one or two absolutes that I consider essential. I moderate and compromise and negotiate a lot of things, but there are some things that I will not allow, because I think they are very important. Pat Murphy took that position in New York. And Pat made some amazing changes in the short time he was there. I think if his tenure had lasted longer, and he had been there another seven or eight years, that he would have really cleaned up the city.

LEN: I think the impact he had is still certainly there, but an influence like that can erode in time if it's not maintained.

POMEROY: Sure, because the Chief of Police or Commissioner is not just dealing with the department, he is dealing with the whole city. He is dealing with the merchant who wants to pay the beat cop to park in front of his own place. He has to deal with the whole culture. LEN: This brings up another issue, which is the relationship of the community to the police officer. It seems that some communities and sub-cultures provide a much greater temptation to police officers than others and, over time, the community and its police department will share the same values and attitudes.

POMEROY: Yes. Say, if you're dealing with a whole series of high rises and a lower economic area where the economic life of a community and building, which is 14-15 stories high, might be dependent upon illegal activity, bootlegging and gambling. If a chief has strict enforcement of law in such an area, he may be destroying the economic base of that community. Now, how to deal with that and still maintain the integrity of the department is a very difficult thing to do. You could do as they did in the Pruitt-Igo Housing Complex in St. Louis, where Dr. Gordon Misner introduced a new security force concept. They had an arrangement there where the unarmed indigenous security people would handle the domestic crises where violence was probable, and they had a relationship with the St. Louis police so that they would be called when they wanted them in. The St. Louis police said, "You're essentially a private building and you can handle your inside problems the way you think best, and you leave the outside to us." They worked out this kind of a combination, and it really wasn't a bad one. It seemed to work out for them. But it's a hard problem to deal with.

LEN: Particularly, if you're coming into a department which has had problems in the past and the community has supported behavior on the part of the police officer which could be categorized as corruption. Your domain, as Chief, is really the police department. How can your influence extend into the community to really change their attitudes toward this type of activity?

POMEROY: Well, that's a question of how much initiative you should take. It relates to the role of policing and a whole range of social issues. Also in the way you make arrests, whether or not you ensure the civil rights of the people you arrest, whether you use violence or compunction against people who are "undesirable." I think the Chief of Police has to accept the responsibility of being a social change agent — he has to take that responsibility. If you're going to go on popularity of the majority, you're not going to be doing the right thing. As in Chicago during the 1968 Democratic Convention — the majority of people approved of police chasing "hippie types" and clubbing them. The majority is still uncivilized. They can sit in their arm chairs and put a cop's finger on the

trigger and let us be their executioners. I'm not going to act out their fantasies in my real world, and I'm not going to let them make patsies out of the men and women who work for me.

LEN: Within your Department's General Order, you have a very strict definition of corruption, especially as it relates to the acceptance of rewards and gratuities. However, even though you have a strict policy, you reported you have had no complaints alleging police corruption in the last five years. Doesn't it seem that such a policy, where accepting a free cup of coffee is a disciplinary offense, should result in some citizen complaints? Do you feel your system is working properly if you have no complaints?

POMEROY: In this Department I don't think there should be complaints about that. I wouldn't think people would be complaining about it. Corruption is kind of a victimless crime, a consensual collaboration between the participants. Accepting a free cup of coffee and a meal and that kind of thing is not seen that way by a lot of people, so you have to take time to explain that even though they like to have us around we can't do that. I hadn't thought about complaints as being a factor. If we

of a chief they're getting and what the new rules are. The chief ought to be darn sure that he has a full understanding of the policy-making decision apparatus before he comes in. The next key thing is to make sure you have the right people in the right decision-making spots in the city. You have to have people you can trust in criminal matters, you have to have people you can trust, at least in command positions, in your vice investigation units.

Another thing, you have to make sure that there is a systematic and positive way for dealing with informants. Also, a system for monitoring money for drug buys and buying information from individuals has to be developed.

And as I mentioned before, inviting federal agencies to come in and knowing enough about those agencies to know that you're not inviting in corruption. Because we have some there — we had some in the Federal Bureau of Narcotics and we now have some again in the Drug Enforcement Administration.

It's just the nature of corruption. You've got to assume that there's so much temptation out there that if you don't keep on tight controls, you'll lose a few corruption battles.

## "You've gotta assume that there's so much temptation out there that if you don't keep on tight controls, you'll lose a few corruption battles."

have one, we try to move very quickly on it. We feel it's just like when a tooth decays: better act or you lose the tooth. It's such a remarkably unusual situation that I'm proud of it, bemused by it, and I don't want anything to happen to it.

LEN: Authors who have written on the corruption problem have stated that there exists a "Code of Secrecy" among police which somehow promotes or allows corruption to continue, when another officer is involved in it. Do you think it is realistic to expect your officers to report another officer if they are aware that he practices or engages in corruption?

POMEROY: I think it's realistic here.

LEN: What about in other departments?

POMEROY: Well, in most departments it wouldn't be. Because we have situations where officers give testimony against another officer. There's a need to look at some areas other than corruption excessive force, for example. Police departments are very "macho" outfits, but our officers will still testify in those cases.

The closest thing I ever got to a corruption complaint was with an officer who'd been here six years. Several months ago, when it came to our attention, this fellow was on a walking beat on Telegraph Avenue, where drug traffic has been heavy for the past several years. And we got, from two different sources, that this guy was involved in soft drugs in some way. So we went after it right away and found out that he was in fact using amphetamines. Now for civilians, I suppose, this is no big deal — to bring yourself up — and use "bars" and drop other stuff, but a police officer has a higher responsibility. Besides that, he was stopping and shaking down people on the street and finding pills. Where he did find pills, he'd take theirs and then let them go.

Now our policy allows the officer to use that kind of discretion, but this officer was keeping the pills and using them himself. So we discharged him. We almost prosecuted him. That's the closest thing I ever had to corruption, here. The other officers really liked him as a person but they said, "Hey, that's bad... and we're not going to stand for it. We really like you personally, but that's too bad, you've got to be a cop."

LEN: One last question. What advice would you give a new reform chief coming into a department or a community that has had a corruption problem. You mentioned some of the steps that you personally have taken, such as securing the assistance of other law enforcement agencies to look at the community. Is there any other advice you could offer?

POMEROY: Well, the first thing one could do is to negotiate before coming in; to have a clear understanding with the Mayor and/or the City Manager and the people who run the city. They really ought to know what kind

You ought to have a damned good intelligence evaluation of where organized crime is in that city. It doesn't necessarily have to be the old mafia operation or syndicates, because it can involve people of any color and any culture. We ought to know that, because there's a lot invested in these operations.

There's a real problem with that, and there's a lot of money involved, I would be careful to take some steps to protect my own life and that of my family.

To get back to the one thing that is essential, it's the quality of personnel in your department. Because no matter what system you devise, the quality of people running the system are most essential. If you come in as an outside chief and if you can't come in with two or three people with you, you're in trouble, unless you have the good fortune, as I have had, to find men with extremely high integrity occupying key positions in the department.

## Public Anti-Crime Help Urged by FBI's Kelley

F.B.I. Director Clarence M. Kelley, speaking at the recent third annual conference of the Hundred Clubs Informational Council in Washington, D.C., urged renewed public involvement in the war on crime.

"The key to improving conditions in this country is not money, but dedication to the proposition that we



Hundred Clubs Chairman Ordway P. Burden (c.) receives the George Washington Medal for outstanding dedication to law enforcement. Rear Admiral William C. Mott, a director of the Freedoms Foundation, presents the award as FBI Director Kelley looks on.

"earned security and will work to preserve it," Kelley said. Hundred Clubs are voluntary associations of citizens which raise funds for the families of police officers killed in the line of duty.

# Albany's Neighborhood Team: The 'People's Police Unit'

By THOMAS WARD

"We can be as gentle as a lamb, and as tough as a lion," said Albany (N.Y.) Patrolman Pete Nardolillo about that city's Arbor Hill Neighborhood Police Unit.

The principle behind neighborhood team policing is omnipresence," added Unit planning officer Rick Basile. "We are geared toward prevention, not apprehension."

The specialized unit to which both officers belong represents a significant departure from traditional police patrol concepts. Operating in a team policing fashion similar to that outlined in an authoritative review of patrol operations published by the Police Foundation, the 48 officers and five sergeants work in a small storefront office in the high crime section of Arbor Hill, where they deliver

breast pocket. Initially there were a number of problems associated with unfamiliar uniforms. Some officers were mistaken for doormen, ushers or tour guides. Now, however, they have become readily identifiable as police officers to community residents and merchants.

A major emphasis is placed by the unit on maintaining good community relations. The storefront office, which differs markedly from most police facilities, has a comfortable community meeting room and a kitchen on the building's second floor. Citizens are encouraged to drop in at any time of the day.

A firebombing in October 1972 cost the unit its original facility several blocks from its present location, but also won the officers a new level of community support. As Officer Basile explained, "It might have been the best thing that ever hap-



The Arbor Hill Neighborhood Police Team's headquarters is a far cry from a traditional precinct house. The storefront office features a community meeting room and a kitchen.

law enforcement services as a kind of "people's police unit" while enjoying relative autonomy from the main District Patrol elements of the Albany Police Department.

Relations between the members of the neighborhood unit and the District Patrol were somewhat less than cordial when the unit was first established. According to Basile, there was intense peer group pressure placed on the first group of officers to volunteer for the project.

"The locker room was brutal. The guys kept telling us we weren't cops, but social workers," Basile said.

While there has been steady improvement in the relationship between the "Neighborhoods" and the rest of the patrol force, official department policy still prohibits a marked District patrol car from entering the neighborhood unit's 144-square block area of responsibility.

"Our borders are sacred; it has to be that way," Basile explained. "The 'black-and-whites' must request permission to enter our area."

Investigative efforts in the Arbor Hill area also enjoy a measure of independence from headquarters personnel, according to Officer Nardolillo. "We do our own follow-up investigations on all crimes," he stated. "We even have four investigators who assist the officers in certain cases."

As part of the team policing concept developed for the Albany police by city crime control planner William Betjemann, the officers are required to give up their traditional blue uniforms in favor of a more casual green blazer bearing the Albany Police Department emblem on the

shoulder. The community people did not support this action. In fact, they felt that if a police station can be burned down, what protection do we have? The bombing really solidified the guys. They [the bombers] did us a big favor."

Citizen participation is promoted through the Community Advisory Board established by the neighborhood unit. "They [the citizens] come in and tell us what their beefs are," Basile said, "and we tell them what is going on in the unit. It's been very successful."

Officer Nardolillo, in his capacity as one of the unit's community relations officers, deals directly with the schools in the area. "We're also geared toward the young kids," he noted. "We rap with the kids in the classrooms in their street language. They get to see us in a different light."

Members of the neighborhood team have also taken local youths on field trips to such events as ice shows and the circus, he added.

These efforts have paid handsome dividends in terms of both citizen acceptance of the police and crime control. "The people refer to us as 'our' Neighborhood Police Unit," Basile said. "They recognize our distinctive yellow cars and know us on a first name basis. We spend a lot of time with people. Everything is a police problem to us. We've fixed plumbing, light switches, you name it. If we can't help you, we'll find someone who can."

In terms of its crime fighting success, the unit has amassed a 67 percent rate of conviction, and a 50 percent clearance rate

COUNSELOR AT LARGE

By MICHAEL BLINICK, ESQ.

## Winning Approval for Meaningful Change

Administrators, planners and reformers in the criminal justice system face frequent frustration in their efforts to gain wholehearted acceptance of what they believe are worthwhile and desirable proposals for innovation and improvement. A major source of their difficulties is the reality of inter- and intra-agency politics — not to mention partisan politics in the general community.

In an ideally-run bureaucracy, the "objective merit" of a proposed change would decide whether that change was adopted or rejected. But no public organization exists in a vacuum. The typical agency of government is at once party, prize and battleground, however reluctantly, in the wars waged by various interest groups.

First, it participates as a contestant with other departments in the budgetary process, to gain the funds for capital expansion and operating expenses. Even before the present emphasis on austerity, costs have been constantly increasing, with new equipment, added personnel at higher salaries, and inflation all adding to the spiral. Furthermore, many reforms — even though they may actually save much money later on — must necessarily incur high "start-up" costs, at which the taxpayers and their legislators may balk. (For example, switching to computerization in record-keeping and information systems, or constructing and staffing community-based alternative correctional facilities would fall into this category.)

Second, various groups outside the government often wish to have the agency slant its operations to favor them in some way. (This is especially true with regard to police departments.) They may seek a large or small amount of influence over the department to make it serve their own ends. Although their aims may often be praiseworthy, they characteristically are rather myopic when it comes to perceiving other equally legitimate competing interests. And they may have little technical knowledge of the problems, financial or otherwise, that can impede the implementation of their desires even if the agency is eager to help.

Third, few government departments are monolithic in composition. They are usually composed of various official sections and unofficial factions, the members of which may have their own views on various matters. (A moment's reflection about the structure of, say, any big-city police department will confirm this.)

Thus, in real life the fate of a proposal to do things differently may hinge ultimately on who wants it, who is against it, and how strong the contending forces are. The process of change is intimately linked with many power struggles and their results. Clearly, suggestions with much seeming "objective merit" often fall by the wayside. If a proposal is completely unacceptable to a particular group or outside agency on the ground that it would contravene their interests, does that mean that the plan lacks merit?

Not at all, for several reasons: First, the objectors may be wrong in assuming that the recommendation would jeopardize their interests. Second, if their assumption is correct, their endangered goals, policies and practices may not be legitimate ones. That is, such interests may entail efforts for the political, economic or social aggrandizement of various individuals or groups at the expense of the "public interest" — insofar as this elusive concept can be articulated by city charters, statutes, judicial opinions and writings on political philosophy. Perhaps these interests may call for actions such as vindictive revenge, or wanton disregard of proper responsibility by the particular group. Third, even if legitimate, like the "creature comforts" of personnel, some interests may be properly subordinated to the common good by management, if there is no other way to protect other, higher-priority legitimate interests. Fourth, the proposal could perhaps be altered so as not to clash unnecessarily with legitimate interests.

In any case, theoretical objective merit cannot compete successfully with a sufficiently hostile reality. The stronger factions can always triumph over what may be desirable in the abstract. So reformers must work to overcome opposition. But this does not mean conniving and manipulation in the name of progress. Indeed, the secret of consistent success in implementing reform is not to use a bunch of isolated persuasive techniques, but to engage in a continuing process of analysis and accommodation that (1) deals fully and fairly with every reasonable argument, (2) takes into account every legitimate interest, and (3) can be understood and engaged in by all concerned — not just the "top brass" (without the rank-and-file and middle management) or the "community power structure" (without the general population).

Those proposals for reform that encounter unusual amounts of resistance deserve to be re-thought. It may be possible to make relatively minor adjustments in such plans, or even to partially reformulate them, without compromising on basics — and thus overcome hostility. (Ideally, this should be done before the plans are publicly revealed and before any battle lines have been drawn.)

We must try to solve problems and introduce new methods without needlessly hurting any legitimate interest. To the greatest extent possible, everyone should gain from a solution and no one should lose. Any undesirable impact of reform on anyone should be attenuated, and the victims indemnified or compensated. In order that change not be perceived as threatening, we must make the beneficial (or neutral) nature of the changes we plan true in reality as well as in image.

### Coming in LEN

Law Enforcement News examines policing in San Francisco in an interview with Chief Charles R. Gain of the SFPD. The Chief discusses his views on corruption, police unions, morale, innovative management practices and a host of other police issues.

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## BOOK NOTES

**So That's What NCJRS Is . . .**

The National Criminal Justice Reference Service (NCJRS), an international clearinghouse for criminal justice information, provides an extensive array of services to the public, centering around the acquisition, classification, storage and dissemination of information useful to the continuing improvement of the criminal justice system.

The heart of the service is a computerized data base of almost 17,000 documents which includes LEAA research and development and action grant reports and studies as well as publications, books, journal articles, monographs, films, slides and other documentation from a wide variety of government and non-government sources often unavailable elsewhere. Foreign language sources are also covered and complete translation summaries of these are included in the data base. Outputs for the data base present bibliographic citations and abstracts for most items in the system.

Ongoing liaison with other agencies and services makes it possible for NCJRS to refer its users to important source material outside its own resources. The service is provided free to any individual or organization. Although this resource is available to the general public, 73 percent of its registered users are criminal justice professionals. Significantly, 42 percent of the total are law enforcement personnel.

Under the direction of the National Institute of Law Enforcement and Criminal Justice, the research unit of the Law Enforcement Assistance Administration, NCJRS was conceived in 1971 and became operational in 1972. Under contract with

General Electric, the program is headed by Joseph G. Cady who is assisted by a staff of 58, including specialists in police, courts and corrections. Since 1971, a total of \$6 million in LEAA funds have been allocated for the service.

**Basic Services**

Selective Notification of Information (SNI) is a bimonthly announcement service designed to keep criminal justice professionals abreast of current, significant literature in their fields of interest. The program helps prevent the user from missing information important to him while freeing him from a flood of unrelated items. Currently there are 34,000 people registered with the service and 900 to 1000 new subscribers register each month.

To participate in SNI, each NCJRS user registers his own unique interest profile, which he selects from 79 general fields such as police patrol function, juvenile delinquency, and victimization. NCJRS then matches each interest profile with new literature as it becomes available, and sends an SNI announcement which describes each applicable publication, including the source from which it can be obtained. Those publications available free from NCJRS may be ordered by marking and returning an enclosed order card. When documents are available from sources other than NCJRS, ordering information, prices and addresses are given on the abstract card.

Abstracts of books, manuals, studies and films are all represented in the system. In addition, all subscribers receive notice of national and international criminal justice meetings and seminars. Subscribers

average between 10 and 15 abstracts per mailing; the maximum allowable is 20.

Search and Retrieval, an individualized reference and information service, is provided in response to user inquiries. A computer-assisted compilation is made of abstracts of all resource material in the data base that fulfills the user's request, and the information is forwarded to the inquirer in the form of a computer printout. The individual seeking reference material may also be placed in contact with other organizations or persons who will help him fill his information needs. In contrast to other NCJRS programs which are designed to maintain a general awareness of criminal justice literature, Search and Retrieval zeros in on the requests covering specific subject areas.

Anyone desiring information on a law

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**New York Firm Issues Call for CJ Research Data**

An open call has been issued for criminal justice research studies, as part of a federally-funded project to identify, retrieve and summarize studies published in English from 1945 to the present.

The Center for Knowledge in Criminal Justice Planning, a New York-based private organization, is in the process of gathering the data needed to prepare an information base useful to practitioners, public officials, and criminal justice planners in formulating decisions about programs for offenders and about cost-effective changes in criminal justice functions.

Persons or organizations having research reports available for this effort can forward them to: The Center for Knowledge in Criminal Justice Planning, 38 East 85th Street, New York, NY 10028. All studies will be carefully reviewed and annotated.

**New Publications from the Criminal Justice Center**

The following publications are now available from the Criminal Justice Center of John Jay College of Criminal Justice.

**Evidence Technician Program Manual**  
By Joseph L. Peterson and James H. Jones

# of Copies

\$2.95

This manual examines the role of police officers and civilians charged with the responsibility of searching crime scenes for physical evidence and returning it to the forensic laboratory for analysis. The authors discuss five important aspects of developing an effective evidence technician program, including: selection and training of personnel, the physical resources needed for the processing of crime scenes, optimal organizational structures, effective field operations, and guidelines for developing meaningful evaluations. (89 pp.)

**Guide to Library Research in Public Administration**  
By Antony E. Simpson

# of Copies

\$4.95

This book was especially written for graduate students, undergraduates, faculty and organizationally-based researchers, engaged in research in public administration. It also includes material likely to be of considerable value to students in other specialties within the social sciences.

The major sources and reference tools which provide access to the literature of the field are cited and described and are discussed in the context of an overall library search strategy designed to solve any given research problem. (210 pp.)

**Grants and Grantsmanship**  
By Robert E. Gaenslen and Alanna Sullivan

# of Copies

\$7.50

For many organizations, seeking external funding is becoming a matter of prime concern. Because of the present economic crunch, the programs and services of agencies are being cut and modified. Therefore "grantsmanship" is fast becoming a necessary skill. To help inform those in the criminal justice field of the intricacies involved in acquiring a grant, the Criminal Justice Center at John Jay College has reprinted "Grants and Grantsmanship," a three-part series published in LAW ENFORCEMENT NEWS (16 pp.)

**Basic Legal Research in the John Jay College of Criminal Justice Library**

# of Copies

\$1.50

By Antony E. Simpson

Written to meet the particular needs of the John Jay College student body, this booklet presents discussion and descriptions of selected bibliographic sources appropriate for legal research involving federal, New York State and New York City law. Such tools as citators, digests and encyclopedia are discussed in depth. The booklet provides a valuable and concise introduction to legal bibliography and standard techniques of legal research. (42 pp.)

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**New Books on Review**

**Introduction to Probation and Parole.** By Alexander B. Smith and Louis Berlin. West Publishing Co. St. Paul, MN. 1976. 250 pp.

This book was written by Alexander B. Smith, a Professor of Sociology at John Jay College of Criminal Justice and Louis Berlin, the Chief of the Training Board for the New York City Department of Probation. Often times when an academician and practitioner combine their knowledge and write a most promising work results. Readers of this text will not be disappointed for in this volume the strengths of both emerge.

The book is not aimed at the practitioner but rather the college student who is interested in planning a career in probation and parole. It is billed as a "nuts and bolts" approach to the field. Although this "nuts and bolts" approach permeates the text there are some good discussions of historical and theoretical materials. A fine historical discussion may be found in the chapter entitled, "Background and History of Probation and Parole" while an interesting theoretical discussion on moral and ethical problems is contained in the chapter on "Problems in Treatment and Relationships".

As is indicated by the first chapter,

"What Is a Probation Officer," the authors begin by making a clear and distinct differentiation between probation and parole — a differentiation which is carried on throughout the book. The material on these fields is refreshingly up-to-date and well presented. There are many citations given, indicating that the authors did extensive research during the writing of the text.

This reviewer could only find small negative comments to make regarding the book. First, the authors occasionally allowed their superior vocabulary to enter into the writings by such words as histrionic, depredations, contravene, ipso facto and potpourri. The authors in no way show off with their vocabulary nor are they writing for their peers, it appears to be a matter of using their everyday language. However since the book was written for undergraduates, more attention should have been given to keeping the language consistent with the anticipated skills of the readers.

A second criticism centers around the inclusion of their chapter entitled "What Causes Crime?" In seven pages the authors touch upon many causes. The problem

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# New Book Releases for the Criminal Justice Library

Continued from Page 11

of course is that this is an insufficient amount of space to cover such a complicated and far-reaching problem. Hopefully those at whom the text is aimed have already been exposed to a course or two in crime and/or delinquency and its causes. This cursory view given by the authors might very well have been omitted and other material substituted in its place. Neither of these two criticisms should in any way be construed as major faults. The book represents a sound piece of work. As already noted the target population for the authors is the college student who is interested in entering the field of probation and parole. The authors have presented a fine book for this population. It is a primer that should be purchased by students and one to which instructors teaching basic courses in probation and parole should give serious consideration when choosing a textbook for the course.

—J.M. Moynahan

• • •

**Psychology For Law Enforcement.** By Edward J. Green. John Wiley and Son, Inc. New York, NY. 1976. 167pp. \$4.95.

As Edward J. Green states in the introduction to his book, "One thing is definitely true of the work of the policeman: He is in need of a practical working knowledge of human psychology. Perhaps more than a psychiatrist or a psychologist, he must deal with an incredibly wide array of problems from moment to moment under circumstances where he alone may exert the means of control that can solve the problem or render it serious." This book is Mr. Green's attempt to offer some of what he considers to be the basic information which psychologists have developed that might be helpful and applicable to policemen in their work. Carefully, however, the author avoids making this a basic introductory text in psychology, organizing the book into three principle sections: Part 1 deals with the basic psychological processes of hearing, seeing, and synthesizing information; Part 2 covers aberrant behavior, communication, problem solving, community relations, and family crisis management and operation analysis; and Part 3 deals with selection and training of police officers and the man-

agement of a police department.

Each of the 12 chapters ends with a series of exercises that relate to the material of the chapter, and they are suitable for encouraging group interaction on the topic. These exercises offer the opportunity for reinforcement of learning as well as the chance to practice techniques in problem solving."

Unquestionably this inexpensive book explains abnormal behavior and aberrant behavior, with examples which a policeman would probably encounter in his daily patrol experiences. Unfortunately, however, as the author moves along in the book, he drifts more and more into areas that are less meaningful and significant to the routine of daily police work. Selections on training and management, though brief and no doubt meaningful, further limit the audience for which this excellent book was intended. Furthermore, it would seem more space could have been allocated to the chapters on problem solving and operation analysis areas with which a policeman is more concerned and from which he could profit from up-to-date thorough, and complete information.

Overall this good book would serve as a companion to a basic book in psychology, in a course where police students or prospective criminal justice personnel would make up a larger complement of the class. It would also be an excellent text to use in a training program, teaching practical psychology to police officers.

—Ronald F. McVey

• • •

**Justice By Consent.** By Arthur Rosett and Donald R. Cressey. J.B. Lippincott Co. Philadelphia, PA. 1976. 220 pp. \$3.95.

The current practice of accepting guilty pleas to crimes of lower degree than those charged is frequently disparaged as a necessary evil. The conventional explanations relate to crowded jails, backlogged court calendars, personnel shortages in the courtroom and the consequent expediency of reducing the volume of trials and jail sentences. Implicit in these excuses is the admission that the defendant waives his constitutional right to due process together with the other safeguards which accompany the trial. On the other hand, there is an impression

among many that the serious criminal takes advantage of the situation and by pleading guilty to minor crimes, obtains a substantially reduced sentence.

Rosett and Cressey present a novel perspective on the problem by offering a defense for "plea bargaining" as a vehicle for discretion in the administration of an intransigent penal law. Their argument, in effect, is that legislators proliferate laws, many of which deal with matters only marginally criminal or of doubtful criminality. Moreover, the penalties for these legislative transgressions are frequently disproportionately severe even at their lower limits. There is no provision for the judge to modify this sentence and the administrative discretion permitted by plea bargaining permits the assignment of a more equitable penalty.

Admittedly, this sets up an adversary relationship between the law and the plea bargaining system. But, the authors argue, since the law and judicial process are hypocritical in their inception and administration, the discretionary system is the lesser of the two evils.

Whether one agrees with the book's point of view is immaterial. It presents the courthouse process in an interesting, clear, and apparently realistic fashion. Each role in the system is personified by a hypothetical individual and this personification lends animation to what could otherwise be a dull treatise.

It is unfortunate for one who sets store by evidence that the documentary

notes are serialized by chapter at the end of the text. This requires the reader to keep a place mark in the bibliographic notes while reading along. Should it be unnecessary to make continuous reference then the identification of the chapter becomes an interruption to the smooth flow of reading. A technical criticism of this sort should not be interpreted as a discouragement from reading the book.

—William J. Wetteroth

• • •

**Vehicle Stops Manual: Misdemeanor and Felony.** By August M. Yount, Jr. Stipes Publishing Co. Champaign, IL. 72 pp. \$3.80.

This compact manual is ideally suited for any police training program, and will be of special value in those programs where vehicle stops are part of the curriculum. The author, who is affiliated with the Police Training Institute at the University of Illinois, has written this book in a practical way. It is well illustrated with photographs of techniques to be used in effecting stops for misdemeanors and felonies.

A "Vehicle Stops Review," designed to utilize a programmed learning approach, is included, and a "Legal Appendix" reviews important cases related to vehicle stops, including *Coolidge v. New Hampshire*, *Cartoll v. United States*, *Preston v. United States*, *Chimel v. California*, and *Chambers v. Maroney*. A section on "Stop and Frisk in Illinois" is also included.

—R.H. Ward

## Just What Is NCJRS? More Than You Might Think

Continued from Page 11

enforcement or criminal justice topic may request a search. Requests for information of which NCJRS receives between 1500 and 2000 a month, may be made in the form of a letter, phone call, or personal visit. Telephone calls are encouraged so that the referral specialist who will compile the data can more easily determine the specific information that is being requested.

Current Awareness Materials (CAM) are issued by NCJRS as the need arises and cover a wide variety of criminal justice information. Subjects covered include the status and progress on various projects of the National Institute of Law Enforcement and Criminal Justice and NCJRS, announcements of significant new documents, new NCJRS service or expansion or modification of current services, selected bibliographies, and general interest items. Current awareness brochures, flyers, bulletins, announcements and letters are issued periodically to registered users of the reference service. Some awareness material is of such broad interest that it is forwarded to all participants while other material is sent only to those persons with an indicated interest in the subject.

The Document Loan Service allows registered users to obtain materials in the NCJRS holdings that are not readily available for wide distribution. NCJRS acquires many useful reports, studies, and other materials which are unpublished and difficult to trace or obtain. Since LEAA cannot print and distribute all of these materials, the loan method is used to provide at least limited availability of this information. Periodically, listings of documents available through the program are sent to individuals registered

with NCJRS. Loan documents may be borrowed through any public, private or organizational library in the United States that participates in the national interlibrary loan program. The libraries administer the loan, obtain the document, pass it to the individual borrower, receive it at the expiration of the loan period, and return it to the lending library. Loan periods are for two weeks from the time of receipt by the borrowing individual.

In addition to these major services, NCJRS periodically issues annotated bibliographies which are based on the relevance, significance and nature of information needs expressed through contacts with the user community. The bibliographies cover such topics as plea bargaining, terrorism and criminal justice evaluation and are announced through the CAM or the normal SNI process.

Individuals in criminal justice agencies or programs are invited to become registered users with NCJRS. For additional information or registration forms write: National Criminal Justice Reference Service, P.O. Box 24036, S.W. Post Office, Washington, D.C. 20024, or telephone (202) 963-5244.

References

Carnery, John L. "The National Criminal Justice Reference Service," *Journal of Criminal Justice* 1: 353-357 (1973). "NCJRS — more than just a service," *LEAA Newsletter* 5:6 (January, 1976).

### CORRESPONDENTS WANTED

Law Enforcement News is seeking state correspondents to write stories dealing with topics of interest to the criminal justice community.

## Albany's Local Team Effort: Grass Roots Police Service

Continued from Page 10

for all crimes. The team showed particular effectiveness in reducing burglaries last year, cutting 1974's total of 156 reported cases to 56 in 1975. Further, the unit boasts a 71 percent clearance rate in the usually-troublesome area of robbery.

Despite these successes, however, all is not perfectly rosy for the Arbor Hill unit. Some officers have complained that they can't rotate tours of duty, and that it is becoming increasingly difficult to get promoted or transferred from the storefront operation. They contend that once the department purchases new uniforms and provides the officers with an additional 160 hours of training, the department administration is unlikely to move the men around too frequently. Also, they claim, it is likely that the department doesn't want to disperse a team which has proven to be effective, both as a service delivery model and as a law enforcement model.

These complaints do not appear to have marred the officers' approach to their

work, though. Officer Nardolillo noted that "our guys really care about people. We want a victimless area. When you're in a district 'black-and-white' you deal only with law enforcement. We deal with the causes of crime and prevention."

The unit's commander, Sgr. Matthew LaFontaine, summed up his impression of the team's operation in these concise terms: "It works."

### 49 Cops Slain During First 4 Months of 1976

The Federal Bureau of Investigation has reported that 49 state and local law enforcement officers were killed in the line of duty by criminal action in the United States and Puerto Rico during the first four months of 1976. This represents an increase of more than 25 percent over the total of 39 in the same period last year.

The bureau said that 40 of this year's victims were killed by firearms, and 27 of these met their death from pistols.

# Current Job Openings in the Criminal Justice System

**Assistant City Attorney.** Fort Collins, Colorado. Graduate of accredited law school and eligible to be qualified to practice in Colorado. Member of Colorado bar and municipal experience desirable. Salary negotiable. Apply to: Ann Sachs, Personnel Officer, P.O. Box 580, Fort Collins, Colorado 80522.

**Chief of Police.** Petaluma, California. Requirements: Minimum of two years college and at least five years of responsible supervisory, command and administrative law enforcement experience. The salary is negotiable up to \$22,500 per year. Possession of California Advanced P.O.S.T. certificate. Filing deadline open. Apply to: David A. Breninger, Personnel Officer, City of Petaluma, P.O. Box 61, Petaluma, California 94952.

**Director of Public Safety.** Lakewood, Colorado. Approximately 130,000 population; in metro Denver area. Seeking degreed police professional with demonstrated senior management and adaptive leadership ability. Non-traditional, team management, strong public relations, and educational orientation necessary. Sensitivity toward effective use of resources, including consideration of provisions of comprehensive community public safety services needed. Highest personal integrity and professional recognition required. Command and administrative responsibility for 283 (193 sworn) personnel and \$5,852,000 budget. Salary, \$25,000-\$28,000 depending upon qualifications. Apply at once to: Office of the City Administrator, c/o Callaghan & Company, Municipal Building, 1580 Yarrow St., Lakewood, CO 80215.

**Chief of Police.** Montgomery County, Maryland. Present chief of this suburban county, adjacent to Washington, D.C., retiring. Population 590,000; 814 sworn and 166 non-sworn personnel; budget, \$21.5 million; executive/council form of government; executive appoints, council confirms, chief as director of department of police protection. Requires minimum of ten years of law enforcement experience, at least five of which must have been at the administrative level with rank of captain or above in a department having 500 or more sworn personnel. Bachelor's degree in criminal justice field desired; combination of education and work experience may be accepted in lieu of degree. Salary range, \$33,000-\$45,500. Submit resume no later than July 15, 1976, to: William H. Hussman, Chief Administrative Officer, Montgomery County, P.O. Box 324, Rockville, MD 20850.

**Chief of Police.** Morrisville Borough, Pennsylvania. Population 11,300; 1.8 square mile area. Salary range, \$14,500 to \$16,500. Department is comprised of chief, one sergeant, eight patrolmen, four part-time patrolmen, and one fulltime secretary. Modern office and lockup; operating budget of \$200,000. No growth anticipated due to limited tax ratables. Resume should include education, law enforcement training and experience, and a full-length photograph. Testing will include written and oral tests, background investigation; physical, psychological, and polygraph tests on all final applicants. Send resume to: Robert H. Steward, Borough Manager, Borough of Morrisville, P.O. Box 239, Morrisville, PA 19067.

**Director of Security.** University of Rhode Island. Supervisor of campus police, having related training, with bachelor's or advanced degrees desirable. Police or security experience sought; demonstrated ability to manage. Will be responsible for three-shift staff functions with emphasis on development and training. Salary, \$15,790. Send resume before June 30, 1976, to: Mr. John C. Davies, Business Manager, University of Rhode Island, Kingston, RI 02881.

**Chief Probation Officer.** Yuba City, California. Requirements: Any combination of education and experience equivalent to graduation from college with major work in psychology, sociology or criminology and five years

experience in probation including at least two years of supervising case workers. The filing deadline is June 30, 1976. Apply to: Sutton County Personnel Department, 463 2nd Street, Yuba, California 95991.

**Regional Crime Prevention Program Coordinator.** Houston, Texas. Requirements: Baccalaureate degree in Criminal Justice or related field plus previous law enforcement experience. Training in crime prevention techniques highly desirable. The salary is negotiable depending on qualifications. Apply to: Mr. Jules Narcisse, Personnel Manager, Houston-Galveston Area Council, P.O. Box 22777, Houston, Texas 77027.

**Texas State Troopers.** Austin, Texas. Qualifications: 20-35 years of age; excellent physical condition, visual acuity not worse than 20/40 and correctable to 20/20. 60 hours of college credit is also required. The salary is \$820.00 per month. The closing date for filing is July 31, 1976. The starting date is September 14, 1976. Apply to: Recruiting Team, Texas Department of Public Safety, 5805 North La Mar Boulevard, Box 4087, Austin, Texas 78773.

**Director, Police Training Institute.** University of Illinois. Position requires person with exceptional administrative ability to direct a full time faculty and staff of 45. The Institute offers a non-credit police training program covering a broad range of courses.

Significant law enforcement leadership experience at the local level, teaching competency and relevant academic preparation required. Advanced academic degree and three years experience in the administration of police training facility desired.

Salary commensurate with qualifications, minimum \$25,000. Position to be filled no later than August 21, 1976. Send vita, and credentials to Professor Jack B. Molden, Chairman of Search Committee, Police Training Institute, 359 Armory Building, University of Illinois, Champaign, IL 61820. Deadline for applications is July 1, 1976.

**Assistant Professor.** University of Texas at Dallas would like to recruit an assistant professor in Criminal Justice for Fall, 1976. The position is tenure-track, starting salary is very competitive, and there is a likelihood of graduate teaching after the first year. Candidates are expected to have disciplinary interests in either Political Science or Sociology. Competence in law, public law, or the courts would be appreciated as would be competence and willingness to advise pre-law students. Send vita to Professor Lawrence John Redlinger, University of Texas at Dallas, Box 688, Richardson, Texas 75080.

**Criminal Justice Instructors.** Mohawk Valley Community College, Utica, New York. To teach general Criminal Justice course work. MS in Criminal Justice or allied field required. Two to teach Criminal Justice courses with legal emphasis. J.D. strongly preferred. Please send resume. (No phone calls please) to: Mr. Richard W. Drumm, Personnel Director, Mohawk Valley Community College, 1101 Sherman Dr., Utica, NY 13501.

**Criminal Justice Faculty.** Interdisciplinary graduate program is seeking a broadly educated faculty member, preferably with doctorate in political science or J.D., to teach constitutional law and court administration. Closing date for application is August 30, 1976. Position available January 1. Send vita to Dr. Willtani J. Mathias, Dean, College of Criminal Justice, University of South Carolina, Columbia, South Carolina 29208. An Affirmative Action/Equal Opportunity Employer

**Faculty in Criminal Justice and Social Work.** Ph.D and/or M.S.W. degree preferred. Salary determined by education and experience. Applications due by July 12, 1976. Letters of inquiry should be sent to: Janet

Sill, Somsen Hall 216, Winona State University, Winona, MN 55987. (507) 458-2110

**Regional Security Manager.** The McDonalds Corp. is seeking a qualified individual to develop and maintain a store security program for its 250 restaurants in the tri-state New York, New Jersey and Connecticut area.

Qualifications include at least three years experience in criminal justice and investigative work. Candidates must possess or be in the process of completing a bachelors degree in criminal justice, and must be willing to travel, work varied schedules with unusual hours and be on call on a 24 hour basis.

The salary for the job is \$19,000. Among the fringe benefits included with the position are a free company car, an expense account, profit sharing, stock options, bonus program and a 10 to 12 percent annual pay increase.

Send resume as soon as possible to Richard DeSoto, McDonalds Corp., McDonalds Plaza, Oak Brook, Illinois 60521. Interviews will be conducted in New York City in mid-July.

## Position Wanted

Auxiliary Police Officer, age 39 seeks full time position as regular police officer Any state. Write to:

J. White, 11 Library St., Chelsea MA 02105

## JOB ANNOUNCEMENTS

If your department, agency or educational institution has any job openings in the criminal justice field, we will announce them free of charge in this column. This includes administrative and teaching openings, civil service testing date periods for police officers, etc., and mid-level notices for federal agents.

Please send all job notices to: Jon Wicklund, Law Enforcement News, 448 W. 56th Street, New York, NY 10019. (212) 489-5164.

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# AAPLE Conferees Debate Chief Selection, Quota Hiring

Continued from Page 1

top echelon commanders should influence the next level which would be composed of middle management in large departments and chiefs from agencies serving smaller cities. "Eventually, I hope to see these first two groups lead lower level managers and police practitioners in the professionalization of policing," di Grazia said.

di Grazia replied to criticism of his "pet rock" charge, by challenging the dissenting chiefs to "show me where I'm wrong." He added that "There can be no satisfaction in police leadership unless we are willing to push ourselves — to move, grow, to change and to innovate."

Police Foundation President Patrick V. Murphy elaborated on the "pet rock" notion by extending it to the concept of police power. "The individual police officer has a lot of power," he said, "but as a group, our power is slight."

Murphy urged the conference participants to "seek out power" by developing "a strong and professional voice." He noted that such an approach was necessary to inform the public about the problems of policing.

Attorney Michael Meyers, Assistant Director of the NAACP, continued the theme of change and innovation in his remarks to the AAPLE convention. "The role of the police should be to preserve and extend the values of a democratic society," he said. "Law enforcement methods must reflect this. The police officer must not be aloof from the movement of social

change."

Noting that black police employment gains "have been wiped away by recession," Meyers declared that "there is little evidence that progress is being made." He added that "little has changed since [the 60s]. There have been only cosmetic changes."

Meyers's remarks prompted Murphy to defend the impact of the police professionalization movement over the past decade. "Your analysis is a 1966 version," he told the NAACP leader. "We've made enormous strides in the past 10 years. You fail to understand the problems and power of the police."

The NAACP leader's stand on the use of quota systems to achieve racial balance in police departments also met with disapproval. When Meyers said that his organization finds such quotas "useful and necessary," a number of AAPLE members voiced objections. One said that when standards are lowered to expedite minority recruitment, "you get short, dumb, white cops." Another stated that establishing a quota is counter-productive. "Most blacks with degrees don't want to be cops," he declared.

Meyers replied that blacks were capable of being police officers. "Most of it is on-the-job training anyway," he said. "The only question about quotas is if you want blacks in a department."

A panel discussion on "Another Look At Crime" produced a somewhat milder debate on the issues of sentencing and prisons. Professor James Q. Wilson of Har-

vard questioned the effectiveness of rehabilitation and called for "just" sentencing practices. "Human nature in a free society is hard to change," Wilson said. "Therefore, the criminal justice system should have limited objectives."

tion was to limit the discretionary power of judges. He explained that "penalties should be made proportional to the offense — not to the attitude of the offenders."

The third aspect of Wilson's plan concerned providing a fuller range of sentencing possibilities to judges and prosecutors. Noting that in most cases, judicial choice is limited to probation or jail, Wilson called for the construction of work camps, both minimum and maximum security facilities, and juvenile-community houses.

Professor Jerome Skolnick from the University of California at Berkeley discounted Wilson's theory of the "rational" offender. "The issue is not deterrence or the rationality of the criminal," Skolnick said. "It is how criminals determine their costs and rewards. There is very little evidence that the length of punishment is related to deterrence."

Noting that correctional facilities "reinforce criminal tendencies," the Berkeley professor stated that "Prisons are schools for crime, they build up the criminal population."

The AAPLE Symposium also featured a panel report on progressive policing techniques in three American cities. Colonel Marvin Van Kirk outlined the Directed Patrol Experiment in Kansas City, Assistant Chief Donald Rierson spoke of the success of San Diego's Community Oriented Policing project, and Major Frances J. Kelliher, Brian Hollander and Dr. Georgette Sandler traced the development of the Hartford Team Policing Program.



Professor James Q. Wilson of Harvard addresses the AAPLE Symposium on the issues of prisons and sentencing.

Wilson outlined a three-point plan to deal with what he called the "rational" criminal. We must first assume that if crime goes up, we have to build more correctional facilities," he said. "If we don't, judges will react to space instead of to the crime."

The Harvard professor's second sugges-

Topics will include hostage taking, bombings, and international terrorist raids. For full information, write or call: Prof. Edward J. Shaughnessy, Conference Coordinator, John Jay College of Criminal Justice, Department of Sociology, 445 West 59th Street, New York, NY 10019. (212) 489-3990.

October 17-20, 1976. National Forum on Volunteers in Criminal Justice. To be held in Atlanta. For complete details, contact: Judge Keith Leenouts, VIP Division, 200 Washington Square Plaza, Royal Oak, MI 48067.

October 17-21, 1976. Police Collective Bargaining Workshop. At the Howard Johnson's Hotel, Newton, Massachusetts. Registration fee: \$275.00 (does not include food or lodging). Further information is available from: The Public Safety Labor Relations Center, International Association of Chiefs of Police, 11 Firstfield Road, Gaithersburg, MD 20760.

October 18-November 12, 1976. Police Executive Development Institute. Sponsored by the Pennsylvania State University, College of Human Development. Tuition fee of \$760.00 includes texts, notebooks, training supplies and one luncheon. Other meals and lodging are not included. For complete details about the training program, lodging, and registration, contact James R. Horner, POLEX Training Supervisor, S-203 Human Development, University Park, PA 16802. Telephone: (814) 865-1336.

October 25-28, 1976. Seminar: "Legal Problems in Police Administration." Registration fee: \$250.00. Further information can be obtained from: George Burnett, Traffic Institute, Northwestern University, 405 Church Street, Evanston, IL 60204. (312) 492-7242.

## Upcoming Events

August 15-18, 1976. 106th Congress of Correction of the American Correctional Association. At the Denver Convention Complex. For more information, write: Anthony P. Travisano, Executive Director, American Correctional Association, Suite L-208, 4321 Hartwick Road, College Park, MD 20740.

August 26-27, 1976. Privacy and security issues workshop. Sheraton Fisherman's Wharf, San Francisco. For further details, see July 29-30.

August 30-September 2, 1976. Annual Meeting of the American Sociological Association. At the New York Hilton. For details, contact: American Sociological Association, 1722 North Street, N.W., Washington, DC 20036.

September 3-7, 1976. Annual Convention of the American Psychological Association. In Washington, D.C. For more information, contact: Cindy Won, APA Convention Office, 1200 17th Street, N.W., Washington, DC 20036.

September 6-October 13, 1976. Polygraph Examiner Course. For details, see July 12-August 20.

September 14-17, 1976. National Homicide Institute, to be held at the Sheraton-Los Angeles Hotel. Topics include investigation, interrogation and mass murder. For brochures and price contact: Gormac Inc., P.O. Box 424, Arcadia, CA 91006. (213) 447-4645.

September 25-30, 1976. 83rd Annual Conference of the International Association of Chiefs of Police. At the Fontainebleau Hotel, Miami Beach. Additional information is available from: Glen D. King, Executive Director, IACP, 11 Firstfield Road, Gaithersburg, MD 20760.

September 26-29, 1976. National Bicentennial Conference on Justice and Older Americans. At the Sheraton-Portland Hotel, Portland, Oregon. Registration fee: \$30.00. Reduced rate for students and senior citizens. For more information, write to: Marlene A Young Rifai, Conference Chairperson, Multnomah County Division of Public Safety, 10525 S.E. Cherry Blossom Drive, No. 101, Portland, OR 97216.

October 14-15, 1976. Privacy and security issues workshop. At the Prom-Sheraton Hotel, Kansas City, Missouri. For details, see July 29-30.

October 15-16, 1976. Workshop: "Terror — the Man, the Mind and the Matter."

## New Products For Law Enforcement

Items about new or modified products are based on news releases and/or other information received from the manufacturer or distributor. Nothing contained herein should be understood to imply the endorsement of Law Enforcement News.

**RADIO FREQUENCY THEFT ALARM** — The Page Alert warning system is a coded radio frequency transmitter and receiver that personally alerts an individual when his or her vehicle is being vandalized or stolen.

Featuring a 1500 foot range, the system consists of a miniature transmitter which when triggered by any contact closure sends a dual coded signal to a personal pocket receiver. The 19 transistor, three diode unit will emit a continuous beep only when it receives its own special code from the transmitter.

Capable of being added to any existing system, Page Alert is easily installed in various vehicles and can also be used for home security. The transmitter is powered by a 12 volt plus or minus ground source, while the receiver operates for three months on a single 2.6 volt battery.

For further information, write to: Magnalock Corporation, P.O. Box 49875, Los Angeles, CA 90049.

• • •

**REMOTE CONTROL DOOR LOCK** — Securitron's No. 61B Magnalock secures doors and other closeable openings with an electromagnetic force in excess of 3,000 pounds. Control and Deactivation can be performed remotely in a number of ways, including key, micro or toggle switch, I.D. card activator, digital activators and smoke or fire sensors. As an added feature, a chain of over-riding control or authority can be achieved with the proper switching.

Magnalock's newly developed 12-volt



power supply can also provide current for accessory items such as position indicator lamps, status sensors, smoke sensors and other remote control devices. Literature describing the system is available from Securitron upon request on company or agency letterhead. Contact: C.F. Martin, P.O. Box 49875, Los Angeles, CA 90048.

• • •

**SOLID STATE SECURITY SYSTEM** — The "lifeguard" is a compact new system designed for hardwire installation. Adaptable for residential or commercial use, the device features both normally open and normally closed intrusion circuit inputs which can be operated in either "instant" or "delayed" mode, as well as a 24-hour emergency circuit with instant override to provide continuous protection against fire, smoke, hold-up and other emergencies.

If an intrusion occurs, an instant pre-alarm function illuminates a warning indicator on the "Lifeguard" panel and switches on a 115 VAC source that can operate up to 300 watts of devices such as lights or radios. An optional buzzer also

alerts the owner that the alarm signal has been activated. If the system is not disarmed within a pre-adjusted delay period, the alarm sounds. An extra accessory output in the device is also triggered which can be used to operate a telephone.

Other standard features of the "Lifeguard" include: easily accessible front-mounted controls; adjustable exit/entry



delay; separate bell or siren for maximum audibility; adjustable automatic shut-off to meet local noise ordinances; automatic trickle charger and gel type standby battery; AC power condition indicator; LED displays; and high security key switch.

For further information, contact Underwood Service Associates, 13238 D. Fiji Way, Marina Del Rey, CA 90291.

• • •

**CONSOLE ENCODERS** — Two new single tone console paging/mobile encoders have been introduced by Reach Electronics. Featuring the latest state of the art in paging and mobile communications, models 1TE10 and 1TE40 generate tone codes transmitted from a base station, which activate selected pocket pagers or mobile units. A tone and voice message can then be given to any individual unit or to a group of units.

The new models feature internal microphone impedance matching circuitry, electronically timed tone output, continuously adjustable tone time from one to 10 seconds, and a -20°C to +75°C temperature range.

Powered by 120 VAC, 2.5 watts standby, six watts operate, the encoders are equipped with electronically timed transmitter keying, which can be adjusted to hold the transmitter on up to 13 seconds after the tone. This feature eliminates squelch noise between the time the tone stops and the operator keys the microphone.

Model 1TE10 has 10 push buttons matching corresponding pagers or mobile units, while model 1TE40 has 14 push buttons and can accommodate up to 40 codes.

Additional information about the units can be obtained from Reach Electronics, P.O. Box 308-A4, Lexington, NB 68850.

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**HOLSTERS** — A cross-draw holster and an off-duty model are the newest units from the Buchheimer-Clark Co. The cross-draw model, part of the "Plainsman" series, features a thumb-break safety strap, sight protection, an open bottom and detachable snap loop.

The "Enforcer," their newest off-duty holster, has a belt slot placement to provide close to the body positioning. It features a thumb-break safety strap and fits 1 1/4-inch belts. Both models are available in black or russet, plain or weave from the Buchheimer-Clark Co., Valencia, CA 91355.

## Computer Communications System Unveiled by Boston Police

The Boston Police Department has completed installation of an innovative computerized communications system that speeds response to calls to the city's 911 emergency phone number by checking the validity of street addresses, and providing police dispatchers with a rundown of complaint calls and unit assignments.

Calling the new unit "the finest and most modern communication system of any police department anywhere," Police Commissioner Robert J. di Grazia explained that "The computer verifies addresses and gives our dispatchers a constant update on what units are available to respond as well as giving our Operations supervisors an overall view of all police activity in the city."

Emergency 911 calls are connected to a response operator who enters the complaint on a terminal. The computer contains every address and location in the city and is able to spot an incorrect address. If the location does not exist or is questionable, the device alerts the operator, stating "streets do not intersect" or "Washington Street in Boston, Brighton, Jamaica Plain or Charleston?"

If the address is valid, the computer automatically displays its corresponding police district and sector car covering the address. The information prints out on a small television screen in front of one of six police dispatchers handling the various areas of Boston.

To further expedite emergency response, the computer assigns a priority to the call and if it's a serious situation, the dispatcher sees it first. Another computer terminal screen tells each dispatcher what units are available for assignments including cars, wagons, detectives, commanders, supervisors, specialized units, and walking patrols.

After a call is dispatched, the system keeps track of the time elapsed until the unit arrives and informs the dispatcher of any delays. The computer also monitors the time units spend on calls and tells the dispatcher to check on overdue cars. As a result of this feature, help would automatically be sent to an officer who ran into trouble and was unable to radio for assistance.

Emergency calls to non-police situations are transferred to specially trained Health and Hospitals Emergency Medical Technicians or to the city's Fire Alarms Headquarters.

di Grazia said that the system "will enable Boston Police to respond more quickly and more effectively to citizen calls for assistance." He added that "It is now more important than ever that citizens call us to report crimes — to report suspicious activity."

An additional feature of the system allows Police Operations supervisors to monitor all activities and assignments underway in the city. They are also able to send messages over the computer system to any of the dispatchers or the 14 response operators.

The computer stores every call and response for possible retrieval at a later date. This gives the department complete documentation of all calls and the actions taken on each.

The \$625,000 system was developed by the Boston Police with the assistance of Arthur D. Little Systems of Burlington. It uses two mini-computers, one for on-line service and the other for a complete backup system. The Federal government contributed \$450,000 toward the communications computer, and an additional \$250,000 has been earmarked for the system's expansion.

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# Charleston Faces Dual Fight on Corruption, High Crime

Coming on the heels of a federal investigation into corruption in the Charleston County (S.C.) Police department, a recent study has revealed that the county is statistically one of the most crime-ridden in the state.

According to findings presented to the Governor's Regional Law Enforcement Task Force, the county ranks second in the state in the number of serious crimes committed in 1975 and first in the number of crimes per capita.

Meanwhile, Police Chief John H. Ball said that guilty pleas and verdicts on corruption charges against former Charleston County policemen will not be the end of a departmental cleanup. "There is a series of questions regarding the integrity of the department over and above the federal investigation," Ball declared.

As Ball readies his broom for a further sweep of the department, criminal justice planner Frank DeHaven reported that Charleston County had an estimated 20,487 serious crimes reported to local

police departments in 1975. His findings show that this was second only to Greenville County's total of 20,589.

According to DeHaven's study, there were approximately 79 serious crimes for each 1,000 Charleston County residents while Greenville had 77 crimes per capita.

Whether or not the county's top per capita crime rate is linked to police corruption, Ball is determined to improve the integrity of his department. "As far as the vast majority of members of the department are concerned, I feel they are without blemish," he said. "There remain some individuals which internal investigation needs to resolve."

The chief added that charges against several of his men have been cleared by the internal investigative unit and that other allegations are being checked out.

"It is of the greatest importance that we maintain vigilance in order to forestall corrupt practices as well as the opportunity for corruption," Ball noted.

Various administrative checks have been

built into the operation of the department to prevent a resurgence of police corruption, according to Ball. He said that the force now has a strong "integrity policy" backed up by a system for processing complaints against police officers. The chief also created the internal investigative unit last November to "expose and weed out every indication of corruption."

The department has also designed new standards and testing procedures to keep undesirable applicants from joining the force. This will be coupled with an ethics awareness training program for in-service personnel.

Now that Ball has somewhat stabilized the internal affairs of this department, he faces the more formidable challenge of lowering Charleston County's record crime figures. DeHaven's statistics show that the county led South Carolina in the number of reported rapes, narcotics violations, robberies, assaults and break-ins. It ranked third in the number of murders, and

second statewide in larcenies and auto thefts.

The statistics indicate that the more populous counties have the most crime, and that Charleston's urban areas have much more crime than outlying areas. Charleston is the second most populous county in South Carolina, and about 55 percent of its residents live in urban areas.

DeHaven's findings reveal that there were almost 22 serious crimes reported per square mile in the county, while urban areas experienced 52 crimes per square mile.

There were 218 crimes per square mile in the City of North Charleston, and 383 in the City of Charleston, which also has the highest population density in the county. North Charleston had a rate of 100 crimes per 1,000 population and Charleston had a rate of 101, according to DeHaven.

The criminal justice planner warned that the figures should not be considered as exact because the larger cities have more comprehensive statistical reporting systems. He explained that the more accurate urban record keeping might push the number of reported crimes up as compared to outlying areas where data gathering is not as complete. However, DeHaven added that the trend revealed in his study appears to be generally accurate.

To reverse the trend, Charleston County governmental agencies appropriated almost \$7 million in 1975 for county and municipal police. During that year, there were 432 sworn policemen in the county, providing 1.6 officers per 1,000 residents. Local appropriations for police within the county was equivalent to about \$25 for every man, woman and child.

## S.1 Sponsors See Bill Dead For '76 Congress

The Criminal Justice Reform Act of 1975 (S.1), the massive and controversial effort to overhaul and codify Federal criminal law, will not win approval during this session of Congress, two of the bill's chief sponsors have concluded.

Sens. John L. McClellan (D-Ark.) and Roman L. Hruska (R-Neb.) have blamed a deadlock between liberals and conservatives over certain key provisions of the bill for the failure of the bill to pass the Senate. McClellan and Hruska, the chairman and ranking minority member, respectively, of the Senate Judiciary Committee's Subcommittee on Criminal Laws, say they have not given up hope for Senate approval this year, but they see little chance for action in the House before Congress adjourns.

Senate minority leader Hugh Scott (R-Pa.), another of S.1's sponsors, has said that some of the act's more controversial sections, dealing with such issues as government secrecy, obscenity, wiretapping and capital punishment, may have to be handled on an individual basis to facilitate passage of the larger measure.

### WHAT'S ON YOUR MIND?

Have a comment you'd like to make? Law Enforcement News invites its readers to submit commentaries on any subject of current interest to the criminal justice community. All contributions should be sent directly to the editor's attention.



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you don't show it...**



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#### Caliber

22

40

50

71

98

158

110

115

240

9 Mm AUTO

100

115

90

40

110

158

#### Type of Bullet

Long rifle

FMJ

FMJ

Lead

Lead

JHP

FMJ

JHP

JHP/SP

FMJ

Lead

JHP

JHP

JHP/SP

FMJ